

C A P. LXV.

An Act for eſtabliſhing an Agreement with the United Company of Merchants of *England* trading to the *East Indies*, for the Payment of the Sum of four hundred thouſand Pounds, for the Uſe of the Publick, in full Diſcharge and Satisfaction of all Claims and Demands of the Publick from the Time the Bond Debt of the ſaid Company was reduced to one million five hundred thouſand Pounds, until the firſt Day of *March* one thouſand ſeven hundred and eighty-one, in reſpect of the Territorial Acquiſitions and Revenues lately obtained in the *East Indies*; and alſo for ſecuring to the Publick in reſpect thereof, for a Term therein mentioned, a certain Part or Proportion of the clear Revenues and Profits of the ſaid Company; and for granting to the ſaid Company, for a further Term, the ſole and excluſive Trade to and from the *East Indies*, and Limits therein mentioned; and for eſtabliſhing certain Regulations for the better Management of the Affairs of the ſaid Company, as well in *India* as in *Europe*, and the recruiting the Military Forces of the ſaid Company.

See 23 Geo. 3.
c. 83.

17 Geo. 2. c. 17.

7 Geo. 3. c. 57.

3 Geo. 3. c. 24.

WHEREAS by an Act, made in the ſeventeenth Year of the Reign of his late Maſteſty King GEORGE the Second (intituled, *An Act for granting to his Maſteſty the Surplus or Remainder of the Monies ariſen, or to ariſe, by the Duties on Spirituous Liquors, granted by an Act of the laſt Seſſion of Parliament; and for explaining and amending the ſaid Act, in relation to the Retailers of ſuch Liquors; and for eſtabliſhing an Agreement with the United Company of Merchants of England trading to the East Indies*), it was, amongſt other Things, enacted, That the United Company of Merchants of *England* trading to the *East Indies* ſhould, ſubject to the Proviſo of Determination therein-after contained, have, uſe, and enjoy, and ſhould continue to have, uſe, and enjoy, the whole, ſole, and excluſive Trade and Traffick, and the only Liberty, Uſe, and Privilege of trading, trafficking, or uſing or exerciſing the Trade or Buſineſs of Merchandize in, to, and from the *East Indies*, and from all the Iſlands, Ports, Havens, Coaſts, Cities, Towns, and Places, between the *Cape of Good Hope* and the *Streights of Magellan*; and Limits, in an Act made in the ninth Year of the Reign of his late Maſteſty King WILLIAM the Third, or in a Charter of the fifth Day of *September*, in the tenth Year of his ſaid late Maſteſty's Reign, mentioned, in as ample and beneficial a Manner as the ſaid Company could thereby or otherwiſe lawfully trade thereto, with ſuch Prohibition to all other his Maſteſty's Subjects to trade thereto, and under ſuch Penalties and Forfeitures, as in the ſaid Act of the ſeventeenth Year of the Reign of his ſaid late Maſteſty King GEORGE the Second; and by the ſaid laſt-mentioned Act it was provided and enacted, That at any Time, upon three Years Notice to be given by Parliament after the twenty-fifth Day of *March* one thouſand ſeven hundred and eighty, upon the Expiration of the ſaid three Years, and Repayment to the ſaid United Company of Merchants of *England* trading to the *East Indies*, or their Succeſſors, of the Capital Stock, Debt, or Sum of four millions two hundred thouſand Pounds, in the ſaid Act mentioned, and all Arrears of Annuity payable in reſpect thereof, in caſe the ſame ſhould not have before been repaid, then, and from thenceforth, and not before or ſooner, the ſaid Right, Title, and Intereſt, of the ſaid United Company of Merchants of *England* trading to the *East Indies*, to the whole, ſole, and excluſive Trade to the *East Indies*, and Parts aforeſaid, ſhould ceaſe and determine: And whereas, on the ſeventh Day of *April* one thouſand ſeven hundred and eighty, Notice was given to the ſaid United Company, purſuant to the Power reſerved in the ſaid recited Act for that Purpoſe, that the Capital Stock, Debt, or Sum of four millions two hundred thouſand Pounds, and all Arrears of Annuity in reſpect thereof, due from the Publick to the ſaid United Company, would be redeemed and paid off on the tenth Day of *April* one thouſand ſeven hundred and eighty-three: And whereas, by an Act made in the ſeventh Year of the Reign of his preſent Maſteſty (intituled, *An Act for eſtabliſhing an Agreement for the Payment of the annual Sum of four hundred thouſand Pounds, for a limited Time, by the Eaſt India Company, in reſpect of the Territorial Acquiſitions and Revenues lately obtained in the Eaſt Indies*), it was directed, That the ſaid United Company, and their Succeſſors, ſhould advance and pay into the Receipt of his Maſteſty's Exchequer, for his Maſteſty's Uſe, the Sum of four hundred thouſand Pounds per Annum, for and during the Term of two Years, to be computed from the firſt Day of *February* one thouſand ſeven hundred and ſixty-ſeven, by half-yearly Payments of two hundred thouſand Pounds each, at or before ſuch Times as are therein limited; and it was thereby enacted and declared, That all the Territorial Acquiſitions and Revenues, lately obtained in the *East Indies*, ſhould remain in Poſſeſſion of the ſaid United Company, and their Succeſſors, during the ſaid Term of two Years, to be computed from the ſaid firſt Day of *February* one thouſand ſeven hundred and ſixty-ſeven: And whereas, by an Act made in the ninth Year of the Reign of his preſent Maſteſty (intituled, *An Act for carrying into Execution certain Propoſals made by the Eaſt India Company for the Payment of the annual Sum of four hundred thouſand Pounds, for a limited Time, in reſpect of the Territorial Acquiſitions and Revenues lately obtained in the Eaſt Indies*), it was directed, That the ſaid United Company of Merchants of *England* trading to the *East Indies*, and their Succeſſors, ſhould advance and pay into the Receipt of his Maſteſty's Exchequer, for his Maſteſty's Uſe, the Sum of four hundred thouſand Pounds per Annum, for and during the Term of five Years, to be computed from the firſt Day of *February* one thouſand ſeven hundred and ſixty-nine,

mine, at or before such Times as are therein limited; and it was thereby enacted and declared, That all the Territorial Acquisitions and Revenues (in the said recited Act before mentioned) lately obtained in the *East Indies*, should remain in Possession of the said United Company, and their Successors, during the said Term of five Years: And whereas, by an Act made in the thirteenth Year of the Reign of his present Majesty (intituled, *An Act for granting to his Majesty a Sum of Money, to be raised by Exchequer Bills; and to be advanced and applied, in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of England trading to the East Indies*), it is, among other Things, recited, That the United Company of Merchants of England trading to the *East Indies* did then labour, and had for some Time past laboured under great and unusual Difficulties in carrying on of their Affairs, from which it greatly imported the Publick, as well as the said United Company, that they should, as speedily as possible, be relieved; and, by the said Act, Provision was made for advancing to the said United Company, by way of Loan from the Publick, the Sum of one million four hundred thousand Pounds: And it was by the said Act also recited, That, in the then Circumstances of the *East India* Company, it would not be in their Power to provide for the Repayment of such Loan, and for establishing their Affairs upon a more secure Foundation for the Time to come, unless the Publick should agree to forego for the present all Participation in the Profits arising from the Territorial Acquisitions and Revenues lately obtained in the *East Indies*, in order that Provision be made by Parliament for applying as well the Whole of the Profits arising from the said Territorial Acquisitions and Revenues, as well as the Revenue and Profits of the Company, after providing for certain necessary Payments and Deductions to be made thereout, to the Repayment of the said Sum of one million four hundred thousand Pounds, and to the Reduction of the Company's Bond Debt: And by the said Act it was enacted, That, until the said Sum of one million four hundred thousand Pounds should have been repaid, and the Bond Debt of the said Company be reduced to the Sum of one million five hundred thousand Pounds, the whole clear Profits arising from the said Territorial Acquisitions and Revenues, after defraying the Charges and Expences attending the same, together with all the clear Revenue and Profits of the said Company, after providing for the current Payments of Interest, and other Outgoings, Charges, and Expences of the said Company, should from Time to Time be disposed of and applied in Manner following; (that is to say,) until the Whole of the Money, so advanced and applied as aforesaid, should have been repaid, it should and might be lawful, out of the said clear Revenues and Profits, to set apart and apply, in the first Place, such Sum as might be sufficient for answering a Dividend to the Proprietors of the Stock of the said Company, not exceeding the Rate of six Pounds *per Centum per Annum* upon the Capital Stock of the said Company; and all the Surplus of the said clear Revenues and Profits should be applied in Diminution of the said Sum of one million four hundred thousand Pounds, or such Part thereof as should be remaining unpaid, and for defraying the Charges incurred in respect thereof; and after the Repayment of the Whole of the Money so advanced and applied as aforesaid, and until the Bond Debt of the said Company should be reduced to the Sum of one million five hundred thousand Pounds, it should and might be lawful, in like Manner, to set apart and apply, in the first Place, out of the said clear Revenues and Profits, such Sum as might be sufficient for answering a Dividend not exceeding the Rate of seven Pounds *per Centum per Annum* upon the Capital Stock of the said Company; after which, all the Surplus of the said clear Revenues and Profits should be applied in reducing the Bond Debt of the said Company: And whereas, by a certain other Act of Parliament, made in the nineteenth Year of the Reign of his present Majesty (intituled, *An Act for continuing in the Possession of the United Company of Merchants of England trading to the East Indies, for a limited Time, and under certain Conditions, the Territorial Acquisitions and Revenues lately obtained in the East Indies; and for continuing, for a limited Time, so much of an Act made in the thirteenth Year of the Reign of his present Majesty, intituled, "An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe," as will expire in the Course of the present Year*), it is, amongst other Things, recited, That the said Sum of one million four hundred thousand Pounds had been repaid and fully discharged, and all the Charges incurred in respect thereof had been defrayed, and the Bond Debt of the said Company had been reduced to or under the Sum of one million five hundred thousand Pounds, whereby the Circumstances, in Consideration whereof it was in the aforesaid Act declared, that the Publick should agree to forego, for the then present Time, all Participation in the Profit arising from the Territorial Acquisitions and Revenues lately obtained in the *East Indies*, have ceased and are determined; but whereas notwithstanding it might be expedient that the aforesaid Territorial Acquisitions and Revenues should, for a limited Time, and under certain Conditions and Restrictions, remain in the Possession of the United-Company of Merchants of England trading to the *East Indies*: And by the said recited Act it was enacted, That all the Territorial Acquisitions and Revenues lately obtained in the *East Indies* should remain in the Possession of the United Company of Merchants of England trading to the *East Indies*, and their Successors, for and during the Term of one Year, to be computed from the fifth Day of April, in the Year of our Lord one thousand seven hundred and seventy-nine: And it was also, by the said last recited Act, further provided and enacted, That, for and during the said Term, the whole clear Profits arising from the said Territorial Acquisitions and Revenues, after defraying the Charges and Expences attending the same, together with all the clear Revenue and Profits of the said Company, after providing for the current Payments of Interest, and other Outgoings, Charges, and Expences of the said Company, should be disposed of and applied in Manner following; (that is to say,) it should and might be lawful, out of the said clear Revenues and Profits, to set apart and apply, in the first Place, such Sum as might be sufficient for answering a Dividend to the Proprietors of the Stock of the said Company, not exceeding the Rate of eight Pounds *per Centum per Annum* upon the Capital

13 Geo. 3. c. 64.

19 Geo. 3. c. 61.

20 Geo. 3. c. 56.

400,000 l. to be paid into the Exchequer by the Company, by Installments.

Stock of the said Company; after which the whole Surplus of the said clear Revenues and Profits should be reserved, and await any future Agreement that might be made between the Publick and the said Company: And whereas, by a certain other Act of Parliament, passed in the twentieth Year of the Reign of his present Majesty (intituled, *An Act for continuing in the Possession of the United Company of Merchants of England trading to the East Indies, for a further Time, and under certain Conditions, the Territorial Acquisitions and Revenues lately obtained in the East Indies; and for reviving, and continuing for a further Time, so much of an Act, made in the thirteenth Year of the Reign of his present Majesty, intituled, "An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe," as hath expired in the Course of the present Year; and for indemnifying the said Company for any Money they have paid, or may pay, in or about the building of three Ships of the Line for the Service of the Publick*), it is enacted, That all the said Territorial Acquisitions and Revenues lately obtained in the *East Indies* should remain in the Possession of the said United Company of Merchants of *England* trading to the *East Indies*, and their Successors, for and during the further Term of one Year, to be computed from the fifth Day of *April*, in the Year of our Lord one thousand seven hundred and eighty, upon the same Conditions and Restrictions as are contained in the said recited Act, passed in the nineteenth Year of the Reign of his present Majesty: And whereas the said Sum of one million four hundred thousand Pounds was repaid and fully discharged, and all the Charges incurred in respect thereof were defrayed, and the Bond Debt of the said United Company was reduced to or under the Sum of one million five hundred thousand Pounds, on or before the twenty-fourth Day of *June* one thousand seven hundred and seventy-eight; and the said United Company have, in pursuance of the several recited Acts, remained in the Possession of all the Territorial Acquisitions and Revenues lately obtained in the *East Indies*, and have, out of the Profits arising from the same, and the Revenue and Profits of the said United Company, made a Dividend to the Proprietors of the Stock of the said Company of eight Pounds per Centum per Annum, upon the Capital Stock of the said Company, from the twenty-fifth Day of *December* one thousand seven hundred and seventy-seven: And whereas the said United Company presented a Petition to the House of Commons, on the twenty-sixth Day of *June* one thousand seven hundred and eighty-one, setting forth, that they were desirous to have the exclusive Trade in, to, and from the *East Indies*, continued to them for a further Term of Years, and were willing that the Publick should participate with them in the Profits arising from the Territorial Acquisitions and Revenues lately obtained in the *East Indies*; and that the said United Company, at several General Courts lately held, had taken into Consideration the Terms and Conditions of an Agreement to be made between the Publick and the said United Company; and at a Court of Proprietors, held on the twenty-fifth Day of the said Month of *June*, the said United Company agreed to the Propositions annexed to their said Petition for those Purposes, and for the Purpose of establishing certain Regulations for the better Management of their Affairs, by which said Propositions the said United Company did offer to advance and pay into his Majesty's Exchequer, by Installments, in the Course of the present Year, the Sum of four hundred thousand Pounds, in full Discharge of all the Claims of the Publick upon the said United Company until the first Day of *March* one thousand seven hundred and eighty-one; and proposed that the said United Company should remain in Possession of all the Territorial Acquisitions and Revenues lately acquired in the *East Indies*, for and during the Term of the exclusive Trade to be granted to the said United Company, without Prejudice to the Claim of the Publick or of the said United Company; and that the Participation between the Publick and the said United Company should be in the Manner, and upon the Terms and Conditions herein after mentioned and declared: 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 Sum of four hundred thousand Pounds shall, by the said United Company of Merchants of *England* trading to the *East Indies*, be paid into the Receipt of his Majesty's Exchequer, at the Times and in the Proportions following; that is to say, The Sum of one hundred thousand Pounds on or before the first Day of *September* one thousand seven hundred and eighty-one; the further Sum of one hundred thousand Pounds on or before the first Day of *October* then next following; the further Sum of one hundred thousand Pounds on or before the first Day of *November* then next following; and the remaining Sum of one hundred thousand Pounds on or before the first Day of *December* then next following; for the Use of the Publick, in full Discharge and Satisfaction of all Claims and Demands of the Publick upon the said United Company, from the Time the Bond Debt of the said United Company was reduced to one million five hundred thousand Pounds, until the first Day of *March* one thousand seven hundred and eighty-one: And in case the said United Company of Merchants of *England* trading to the *East Indies*, or their Successors, shall make Failure in any of the said Payments hereby appointed to be made into the Receipt of his Majesty's Exchequer on or before the respective Days or Times herein before limited, that then, and from Time to Time, as often as such Case shall so happen, the Money whereof such Failure in Payment shall be made, shall and may be recovered to his Majesty's Use by Action of Debt, or upon the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, shall be allowed, or any more than one Imparance; in which Action, Bill, Suit, or Information, it shall be lawful to declare, that the said United Company of Merchants of *England* trading to the *East Indies*, or their Successors, are indebted to his Majesty the Monies of which they have made Default in Payment, according to the Form of this Statute, and have not paid the same, which shall be sufficient; and in or upon such Action, Bill, Suit, or Information, there shall be further recovered to his Majesty's Use, against the said United Company of Merchants of *England* trading to the *East Indies*, or their Successors, Damages, after the Rate of fifteen

fifteen Pounds per Centum per Annum, for the refpective Monies fo unpaid contrary to this Act, together with full Cofts of Suit; and the faid United Company, and their Succelfors, and all their Stock, Funds, and all other their Eftates and Property whatsoever and wherefoever, fhall be, and are hereby made fubject and liable to the Payment of fuch Monies, Damages, and Cofts.

II. And be it further enacted by the Authority aforefaid, That the Proviso contained in the faid in Part recited Act, made in the feventeenth Year of the Reign of his late Majefty King GEORGE the Second, for determining the Right, Title, and Intereft of the faid United Company to the whole, fole, and exclusive Trade to the *East Indies*, and Parts aforefaid, fhall be, and the fame is hereby repealed and made void, and the Notice herein before mentioned to have been given in purfuanee of the Power referved by the faid Proviso, to determine the fole and exclusive Trade of the faid United Company, is hereby made and declared to be void and of no Effect.

Proviso in 17
Geo. 2. c. 17.
repealed.

III. And it is hereby further enacted by the Authority aforefaid, That the faid United Company of Merchants of *England* trading to the *East Indies*, fhall (fubject to the Proviso of Determination herein after contained) have, ufe, and enjoy, and fhall continue to have, ufe, and enjoy, the whole, fole, and exclusive Trade and Traffick, and the only Liberty, Ufe, and Privilege of trading, trafficking, and exercising the Trade or Bufinefs of Merchandize, in, to, and from the *East Indies*, and in, to, and from all the Iflands, Ports, Havens, Coafts, Cities, Towns, and Places, between the *Cape of Good Hope* and *Streights of Magellan*, and Limits, in the faid Act of the ninth Year of the Reign of his faid late Majefty King WILLIAM the Third, or in the faid Charter of the fifth Day of *September*, in the tenth Year of his faid Majefty's Reign, mentioned, in as ample and beneficial Manner as the faid Company could thereby, or otherwife lawfully trade thereto; and the faid *East Indies*, or the Iflands, Havens, Coafts, Ports, Cities, Towns, and Places within the Limits aforefaid, or any of them, fhall not from henceforth, at any Time before fuch Determination of the faid fole and whole Trade of the faid United Company of Merchants of *England* trading to the *East Indies*, as is herein after mentioned, be repaired or failed to, vifited, frequented, or haunted, by any other the Subjects of his Majefty, his Heirs or Succelfors whatsoever: And if any of the faid Subjects of his Majefty, his Heirs or Succelfors, of what Degree or Quality foever they be, other than the Factors, Agents, and Servants of the faid United Company of Merchants of *England* trading to the *East Indies*, or fuch as fhall be by them thereunto licensed or authorized, fhall, at any Time or Times hereafter, before fuch Determination of the faid Company's whole and fole Trade as aforefaid, directly or indirectly fail, or go to, vifit, haunt, frequent, traffick, trade, or adventure in, to, or from the faid *East Indies*, or other the Limits or Parts aforefaid, contrary to the true Meaning hereof, all and every fuch Offender and Offenders fhall incur the Forfeiture and Lofs of all the Ships and Veffels which fhall be employed in fuch Voyage, Trade, Traffick, or Adventure, with the Guns, Tackle, Apparel, and Furniture thereunto belonging; and alfo all the Goods laden thereupon, or that were, or fhall be fent to, acquired, traded, trafficked, or adventured, within the faid *East Indies*, or Parts aforefaid, and all the Proceeds and Effects of the fame, and every of them, and double the Value thereof; which Penalties and Forfeitures fhall be fo fued for, feized, diftributed and diftributable, recovered and recoverable, as in and by an Act made in the feventh Year of the Reign of his late Majefty King GEORGE the Firft (intituled, *An Act for the further preventing his Majefty's Subjects from trading to the East Indies under foreign Commissions; and for encouraging, and further fecuring, the lawful Trade thereto; and for further regulating the Pilots of Dover, Deal, and the Ifle of Thanet*), is appointed, directed, and enacted, concerning the Penalties and Forfeitures in that Act mentioned or referred to, with refpect to the faid United Company, or their Trade to the *East Indies*.

Right to the
exclusive Trade
continued to the
Company.

Penalty on Per-
fons trading thi-
ther without
Licence from
the Company.

IV. And moreover it is hereby enacted by the Authority aforefaid, That the faid United Company of Merchants of *England* trading to the *East Indies* fhall, at all Times hereafter for ever, fubject as aforefaid, have, hold, and enjoy, and be intitled unto, all and every the Profits, Benefits, Advantages, Privileges, Franchifes, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, and all Penalties and Forfeitures, and Difabilities, Provisions, Matters, and Things whatsoever, which by any former Act or Acts of Parliament, or by any Charter or Charters founded thereupon, or by any Clause or Clauses in the faid Acts or Charters contained, are enacted, given, granted, provided, inflicted, limited, eftablished, or declared, to, for, touching, or concerning the faid Company, or Body Politick and Corporate, either by the Name of *The General Society, intitled to the Advantages given by an Act of Parliament for advancing a Sum not exceeding two Millions, for the Service of the Crown of England*, or the faid Body Politick and Corporate, called by the Name of *The English Company trading to the East Indies*, or the faid Body Politick and Corporate, now called by the Name of *The United Company of Merchants of England trading to the East Indies*, and not by this Act altered, or intended to be altered, according to the Tenor and true Meaning of the faid Acts and Charters, freed and difcharged from all Provifoes and Conditions of Redemption and Determination therein contained; and the fame, and every of them, are hereby ratified and confirmed, and fhall continue to be held and enjoyed, and be practifed, and put in Execution by the faid United Company of Merchants of *England* trading to the *East Indies*, and their Succelfors, for the better and more effectual fettling and fecuring to them, and their Succelfors, the whole, fole, and exclusive Trade to the *East Indies*, and Parts aforefaid; and for the preventing all other his Majefty's Subjects trading thither, and for fecuring alfo their Poffeffions, Eftate, and Effects, and governing their Affairs and Bufinefs, in all Refpects as fully and effectually as if the fame Profits, Benefits, Advantages, Trade, Privileges, Franchifes, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, Penalties, Forfeitures, Difabilities, Provisions, Matters, and Things, were feverally repeated, and at large re-enacted, in the Body of this Act; fubject nevertheless to fuch Reftrictions, Covenants, and Agreements,

Company to en-
joy all the Pro-
fits, &c.

as are contained in the faid Acts and Letters Patent now in force, and not herein or hereby varied or altered, and fubject alfo to the Proviso herein after mentioned.

Continuance of
the Term, &c.

V. Provided always, and it is hereby enacted by the Authority aforefaid, That at any Time, upon three Years Notice to be given by Parliament, after the firft Day of *March*, which fhall be in the Year of our Lord one thoufand feven hundred and ninety-one, upon the Expiration of the faid three Years, and Repayment to the faid United Company of Merchants of *England* trading to the *East Indies*, or their Succelfors, of the faid Capital Stock, Debt, or Sum of four millions two hundred thoufand Pounds, and all Arrears of Annuity payable in refpect thereof, in cafe the fame fhall not have been before repaid; then, and from thenceforth, and not before, or fooner, the faid Right, Title, and Intereft, of the faid United Company of Merchants of *England* trading to the *East Indies*, to the whole, fole, and exclusive Trade to the *East Indies*, and Parts aforefaid, fhall ceafe and determine.

Company, after
the Determination
of their
exclusive Right,
may continue to
trade with their
Joint Stock, &c.

VI. Provided always, and it is hereby further enacted, That nothing in the above Proviso, or in any Proviso in the faid Act of the ninth Year of the Reign of his faid late Majefty King WILLIAM the Third, or in the faid Charter of the fifth Day of *September*, in the tenth Year of his faid late Majefty's Reign, or in any other Act or Charter contained, fhall extend, or be conftrued to extend, to determine the Corporation of the faid United Company of Merchants of *England* trading to the *East Indies*, or to hinder, prevent, or exclude, the faid United Company from carrying on, at all Times after fuch Determination of the Right to the fole, whole, and exclusive Trade, as aforefaid, a free Trade in, to, and from the *East Indies*, and Parts aforefaid, with all or any Part of their own Joint Stock in Trade, Goods, Merchandizes, Eftate, and Effects, in common with other the Subjects of his Majefty, his Heirs and Succelfors, trading in, to, or from thofe Parts.

What fhall be
deemed Notice.

VII. And be it further enacted by the Authority aforefaid, That any Notice in Writing, fignified by the Speaker of the Houfe of Commons for the Time being, by Order of the faid Houfe, fhall be deemed and adjudged a due and proper Notice by Parliament, to and for all the Ends, Intents, and Purpofes, for which fuch Notices are directed by this Act to be given to the faid Company.

Territorial Ac-
quifitions.

VIII. And be it further enacted by the Authority aforefaid, That all the Territorial Acquisitions and Revenues lately obtained in the *East Indies* fhall remain in the Poffeffion of the United Company of Merchants of *England* trading to the *East Indies*, for and during the Term of the exclusive Trade granted to the faid United Company.

Profits from
Territorial Ac-
quifitions, and
the Trade of the
Company.

IX. And be it further enacted by the Authority aforefaid, That, from and after the firft Day of *March* one thoufand feven hundred and eighty-one, for and during fo long Time as the faid United Company, under the Authority of this prefent Act, fhall be intitled to the whole, fole, and exclusive Trade and Traffick in, to, and from the *East Indies*, and Places aforefaid, the whole clear Profits arifing from the faid Territorial Acquisitions and Revenues, after defraying the Charges and Expences attending the fame, together with all the clear Revenues and Profits of the faid Company, after providing for the current Payments of Intereft, and other Outgoings, Charges, and Expences of the faid Company, fhall from Time to Time be difpofed of and applied in Manner following; (that is to fay,) it fhall and may be lawful for the faid United Company to fet apart and retain, in the firft Place, in each and every Year, fuch Sum as fhall be equal to eight Pounds *per Centum per Annum* upon the Capital Stock of the faid United Company of three millions two hundred thoufand Pounds; and in cafe there fhall remain a Surplus of the faid clear Revenues and Profits above the faid Sum of eight Pounds *per Centum per Annum*, fo to be retained by the faid United Company as aforefaid, three fourth Parts of fuch Surplus Profits fhall be fet apart and applied for the Ufe of the Publick, and the remaining fourth Part thereof fhall be referved and retained by the faid United Company for their own Ufe.

Surplus Profits.

X. And be it further enacted by the Authority aforefaid, That the Surplus Profits appropriated to the Publick as aforefaid, fhall be paid annually into the Receipt of his Majefty's Exchequer, as herein after mentioned, and fhall be there referved for the Difpofition of Parliament.

Payments to be
made on or be-
fore May 1, in
every Year.

XI. And be it further enacted by the Authority aforefaid, That the faid United Company of Merchants of *England* trading to the *East Indies*, and their Succelfors, fhall, and they are hereby directed and required to pay into the Receipt of his Majefty's Exchequer, for his Majefty's Ufe, the Parts and Proportions of the clear Revenue and Profits herein before directed to be fet apart and applied for the Ufe of the Publick, on or before the firft Day of *May* in each and every Year; and in cafe the faid United Company of Merchants of *England* trading to the *East Indies*, or their Succelfors, fhall make Failure in Payment hereby appointed to be made, into the Receipt of his Majefty's Exchequer, on or before the faid firft Day of *May* in each and every Year, that then, and in fuch Cafe, the Money whereof fuch Failure in Payment fhall be made, fhall and may be recovered to his Majefty's Ufe, by Action of Debt, or upon the Cafe, Bill, Suit, or Information, in any of his Majefty's Courts of Record at *Westminfter*, wherein no Effoin, Profection, or Wager of Law, fhall be allowed, or any more than one Impar lance; in which Action, Bill, Suit, or Information, it fhall be lawful to declare, that the faid United Company of Merchants of *England* trading to the *East Indies*, or their Succelfors, are indebted to his Majefty the Monies of which they fhall have made Default in Payment, according to the Form of this Statute, and have not paid the fame, which fhall be fufficient; and in or upon fuch Action, Bill, Suit, or Information, there fhall be further recovered to his Majefty's Ufe, againft the faid United Company of Merchants of *England* trading to the *East Indies*, or their Succelfors, Damages after the Rate of fifteen Pounds *per Centum per Annum* for the refpective Monies fo unpaid, contrary to this Act, together with full Cofts of Suit; and the faid United Company, and their Succelfors, and all their Stock, Funds, and all other their Eftates and Property whatsoever and wherefoever, fhall be and are hereby made fubject and liable to the Payment of fuch Monies, Damages, and Cofts.

XII. And

XII. And be it further enacted by the Authority aforefaid, That it fhall and may be lawful to and for the faid United Company to apply fuch Money as they are herein before authorized to retain to themfelves out of the yearly nett Profits of the faid United Company, and alfo fo much Money as they fhall receive in refpect of the fourth Part of the Expence of victualling his Majesty's Ships and Veffels in the *East Indies*, herein after directed to be paid to the faid United Company, during the Continuance of the War with *France, Spain, and Holland*, together with the Surplus Profits belonging to the faid United Company, on the firft Day of *March* one thoufand feven hundred and eighty-one, after Payment of the faid Sum of four hundred thoufand Pounds to the Publick, as herein before is directed, not exceeding two hundred eighty-eight thoufand and twenty-five Pounds, feventeen Shillings, and Ten-pence, in the Payment of Dividends to the Proprietors of the Stock of the faid United Company, not exceeding the Rate of twelve Pounds ten Shillings *per Centum per Annum*; provided that the Bond Debt of the faid United Company fhall not at any fuch Time exceed the Sum of one million five hundred thoufand Pounds; and provided, that they do not increafe the prefent Dividend of eight Pounds *per Centum per Annum* more than at the Rate of one Pound *per Centum* in each and every Year.

Company's Share of nett Profits, and the Money they fhall receive for victualling Ships in the *East Indies*, how to be applied.

XIII. And, in order to ascertain the yearly nett Profits arifing from the faid United Company's Trade and Revenues, be it further enacted by the Authority aforefaid, That the faid United Company fhall, and they are hereby directed and required to caufe to be made up yearly, for each and every Year during the Term before mentioned, with as much Accuracy as the Nature of the Cafe will admit, a Statement of the Profit and Lofs upon the Whole of the Trade and Revenues of the faid United Company, together with a State of the Debts of the faid United Company in *England*, from the firft Day of *March* in every Year, to the firft Day of *March* in each fucceeding Year, the firft of which Statements or Accounts fhall be made up to the firft Day of *March* one thoufand feven hundred and eighty-two; and every fuch Statement or Account fhall be fairly written, and fhall be figned by two or more of the Directors of the faid United Company, and transmitted, within thirty Days after the Day to which fuch Statements or Accounts fhall be made up refpectively, to the Commiffioners of his Majesty's Treasury, or the High Treasurer for the Time being.

A Statement of the Profit and Lofs, &c.

XIV. And be it further enacted by the Authority aforefaid, That the faid United Company fhall caufe to be made out, at the fame Time with the Account herein before directed, an Account of the Value of all the faid United Company's Goods which fhall remain unfold in their Warehoufes in *England* at the Time of making up the faid Account, exclusive of Discounts, Customs, Commiffion to Supercargoes, and of all and every other Charge whatfoever to be deducted therefrom; which Account fhall be fairly written, and fhall be figned by two or more of the Directors of the faid United Company, and transmitted, with the Account herein before mentioned, to the Commiffioners of his Majesty's Treasury, or the High Treasurer for the Time being.

Alfo an Account of the Value of all Goods, &c.

XV. And be it further enacted by the Authority aforefaid, That Accounts of the grofs Amount of all the Territorial Revenues received by the faid United Company, and of all their Difburfements, Charges of Management, Civil, Military, and other Expences and Charges, and alfo of the faid United Company's Debts at each of their Settlements in the *East Indies*, and Accounts of their nett Proceeds at each of their Settlements in the *East Indies*, fhall be made up annually, and delivered to the Commiffioners of his Majesty's Treasury, or the High Treasurer for the Time being, on or as foon after the firft Day of *March*, in each Year, as the Receipt of the neceffary Materials from the *East Indies* fhall enable the faid United Company to prepare fuch Accounts.

And Accounts of the grofs Amount, &c. to be made up annually.

XVI. And be it further enacted by the Authority aforefaid, That the Directors of the faid United Company fhall caufe Copies of the faid Accounts, fo directed to be made up as aforefaid, to be laid before the General Court of Proprietors, to be holden next after the fame fhall be fo made up.

Directors to lay Copies of faid Accounts before a General Court.

XVII. Provided always, and be it further enacted by the Authority aforefaid, That the faid United Company fhall, and they are hereby required to pay to his Majesty, his Heirs and Succelfors, in the *East Indies*, two Lacks of current Rupees *per Annum* for each and every Regiment confifing of one thoufand Men, already fent, or hereafter to be fent, by his Majesty, his Heirs or Succelfors, to the *East Indies*, on the Requisition of the faid United Company, over and above the Extraordinaries now borne and defrayed by the faid United Company, and in that Proportion for any greater or lefs Number of Men, and for any greater or lefs Space of Time; fuch Payment to be computed, with refpect to the Forces already fent, from the twenty-fourth Day of *June* one thoufand feven hundred and eighty-one, and with refpect to fuch Forces as hereafter fhall be fent to the *East Indies*, from the Time of the Embarkation of fuch Forces, and fhall be paid until the Return of the faid Regiments to *Great Britain*, or for fo long Time as the faid United Company fhall be poffeffed of the Territorial Revenues in the Provinces of *Bengal, Babar, and Oriffa*; which faid Payment fhall be made in Manner following; that is to fay, The Subfiftence of fuch Forces there fhall be regularly paid to the Orders of the Officers commanding each refpective Regiment, and the Remainder of fuch Allowances fhall be paid according to fuch Regulations as fhall be fettled between the Paymafter General of his Majesty's Forces and the Secretary at War for the Time being, and the Court of Directors of the faid United Company.

Company to pay two Lacks of Rupees per Ann. for each Regiment of 1000 Men, &c.

XVIII. Provided alfo, and be it further enacted by the Authority aforefaid, That, from and after the fifth Day of *July* one thoufand feven hundred and eighty-two, until Peace fhall be reftored with *France, Spain, and Holland*, the faid United Company fhall provide and fupply all the Victualling to be delivered in the *East Indies* neceffary for his Majesty's Ships and Veffels already fent, or hereafter to be fent, to the *East Indies*, upon the Requisition of the faid United Company, and alfo for the fick and hurt Seamen belonging to fuch Ships and Veffels, during the Time fuch Ships and Veffels fhall be employed in the *East Indies*; and that a juft and true Account fhall be kept thereof, and fhall be properly authenticated and vouched by the Governor, or Prefident and Council of the faid United Company's Settlements in *India* refpectively,

respectively, where such Victualling shall be provided and supplied; and such Account shall, from Time to Time, be transmitted to the Court of Directors of the said United Company, who are hereby required to lay such Accounts before the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, who shall thereupon refer the said Accounts to the Commissioners of his Majesty's Navy, Victualling, and Sick and Wounded Seamen, to be considered in the proper Offices; and all such Victualling so provided and supplied as aforesaid, shall be put in Charge against the Officer or Officers to whom the same was delivered, or against the Hospital for Sick and Hurt respectively, as the Case may be; and the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, from Time to Time, during the Time aforesaid, within forty Days after the Receipt of such Accounts so properly authenticated and vouched as aforesaid, shall pay, or cause to be paid, to the said United Company, one fourth Part of the total Amount of the Value of all such Victualling so provided by the said United Company; which Sum, so paid, shall be deemed and taken to be the sole Right and Property of the said United Company, freed and discharged from all Claims or Right of Participation on the Behalf of the Publick, and shall be set apart and applied for the Use and Benefit of the said United Company: And in case it shall happen at any Time during the Time aforesaid, that, by means of the said United Company being put to such Expences on account of providing and supplying such Victualling as aforesaid, the nett Profits of the said United Company realised in *Great Britain*, shall be so reduced as not to be sufficient, together with one fourth Part of such Expences, as to produce to the said United Company a Sum equal to eight Pounds *per Centum per Annum* upon their Capital Stock of three millions two hundred thousand Pounds, that then, and in every such Case, the Publick shall repay in *Great Britain* so much more of the Expences of providing and supplying such Victualling for his Majesty's Ships and Vessels (if the Amount of the Value of such Victualling, so provided and supplied as aforesaid, be equal thereto), as shall be sufficient to make up to the said United Company a Sum equal to a Dividend of eight Pounds *per Centum per Annum* on the Capital Stock of the said United Company, such Payments to be made in Sterling Money of *Great Britain*, the Exchange for the Rupee being rated and taken at the usual current Price of the Rupee at the Time the same shall be advanced and paid in the *East Indies*.

Company to supply such Victualling after Peace.

Company to send to *East Indies* such Naval and Military Stores &c.

Treasury to pay to the Company, &c.

XIX. And be it further enacted by the Authority aforesaid, That, from and after Peace shall be restored with *France*, *Spain*, and *Holland*, the said United Company shall, in like Manner, provide and supply all such Victualling at their own proper Expence, Cost, and Charge.

XX. And be it further enacted by the Authority aforesaid, That the said United Company shall, as soon as they shall be enabled so to do, on the Requisition and under the Inspection of the Commissioners of his Majesty's Navy and Office of Ordnance, send out to the *East Indies* such Naval and Military Stores, in such Quantities, and of such Quality, and to such Places, as the said Commissioners of his Majesty's Navy shall direct; and the said United Company shall make timely Requisition to the Commissioners of his Majesty's Navy for such Naval and Military Stores as cannot be provided by the said United Company; and the said United Company shall also pay to the said Commissioners of his Majesty's Navy for all such Naval and Military Stores so provided by them: And for all such Naval and Military Stores exported from *Great Britain* to the *East Indies*, by the said United Company, upon the Requisitions of the Commissioners of his Majesty's Navy, the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, shall, within forty Days after an Account of such Naval and Military Stores shall have been so actually exported, and Proof made thereof, and Certificates shall be delivered of such Exportation to the Commissioners of his Majesty's Navy, pay and advance, or cause to be paid and advanced, to the said United Company, by way of Imprest, upon Account of such Naval and Military Stores, a Sum of Money nearly adequate to the Value thereof; and the Remainder of the Value of such Stores shall be paid for after they shall be delivered in the *East Indies*, for the Use of his Majesty's Ships and Vessels, within forty Days next after Certificates shall have been delivered to the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, that such Naval and Military Stores have been furnished and supplied to any of his Majesty's Ships or Vessels employed in the *East Indies*; which Certificates the Officer or Officers receiving the said Naval and Military Stores is and are hereby required to give to the said United Company in Triplicate, on Delivery of such Stores.

XXI. Provided always, That in case of the Loss or Damage of the said Naval and Military Stores, or of any Part thereof, by Sea, or by being taken or destroyed by Enemies, or by any other Accident not imputable to, or occasioned by, the Fault or Neglect of the said United Company, or their Servants, or any Person employed by them, the said Imprest shall be allowed to the said United Company; and moreover the said United Company shall be paid the Surplus Value of such Naval and Military Stores, beyond the Sum so imprested to them as aforesaid.

XXII. And be it further enacted by the Authority aforesaid, That, from and after the twenty-fourth Day of *June* one thousand seven hundred and eighty-two, the said United Company shall, to the utmost of their Power, supply, for the Wear and Tear and Repairs of such Ships and Vessels belonging to his Majesty as shall be employed in the *East Indies*, all such Naval and Military Stores as shall be required by the Officer commanding the Fleet in the *East Indies*, or by any Officer commanding any of his Majesty's Ships or Vessels so employed in the *East Indies*, such Officer giving triplicate Certificates for such Naval and Military Stores; and the prime Cost of all such Naval and Military Stores as shall be supplied in the *East Indies* for the Use of his Majesty's Navy, shall be repaid to the said United Company in *England* until Peace shall be restored with *France*, *Spain*, and *Holland*, within forty Days after Certificates shall have been delivered to the Commissioners of his Majesty's Treasury, or to the High Treasurer for the Time being, that such Naval and Military Stores have been furnished and supplied to any of his Majesty's Ships and Vessels so employed in the *East Indies*.

XXIII. And be it further enacted by the Authority aforesaid, That, from and after Peace shall be restored with *France, Spain, and Holland*, the said United Company, so long as they shall remain in the Possession of the Territorial Acquisitions and Revenues in the Provinces of *Bengal, Bahar, and Orissa*, shall furnish, at their own proper Costs and Charges, such Naval and Military Stores as shall be necessary and be required for the Use of such of his Majesty's Ships and Vessels as shall, at the Request of the said United Company, remain on Service in the *East Indies* in Time of Peace with the *European Powers*, for which Certificates shall be granted by the Officers commanding such Ships and Vessels respectively; and all Certificates so granted for such Naval and Military Stores, shall be sent to the Court of Directors of the said United Company, and shall be by the said Court of Directors transmitted to the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being; and such Certificates, so transmitted, shall be sent to the Commissioners of his Majesty's Navy and Office of Ordnance, who are hereby required to put the same in Charge against the Officers respectively receiving such Naval and Military Stores.

After Peace, the Company shall furnish Stores at their own Expence.

XXIV. And, in order to prevent any extravagant Demand being made, or any Frauds being committed in the victualling any of his Majesty's Ships or Vessels, and in supplying them with Naval and Military Stores, and that all Expences relating thereto may be properly checked and controuled, be it enacted by the Authority aforesaid, That the Commissioners of his Majesty's Navy, and the Commissioners of Victualling, and sick and wounded Seamen, and Office of Ordnance, and the Court of Directors of the said United Company, shall settle and establish such Rules, Orders, and Regulations, for the providing such Supplies, and in paying such Expences as aforesaid, as they shall see proper; and all such Rules, Orders, and Regulations, shall be observed and obeyed, as well by the Servants of the said United Company, as by the Officers of his Majesty's Navy respectively; and the Accounts of such Supplies and Expences shall be returned, examined, checked, and passed, in such Manner as by the said Rules, Orders, and Regulations shall be established: And in case it shall appear, upon the Examination of such Accounts, that any Monies or Stores, received by any of his Majesty's Officers, shall not be properly accounted for, the Amount and Value thereof shall be recovered from such Officer or Officers, by such Ways and Means as shall be agreeable to the Usage and Custom of the Navy in such Cases; and such Part of the Money so recovered, as shall have arisen during the War with *France, Spain, and Holland*, shall be paid and applied for the Use of his Majesty, and such Part as shall have arisen subsequent to the End of the War with *France, Spain, and Holland*, shall be paid to the said United Company.

Regulations for providing Stores, &c.

XXV. And be it further enacted by the Authority aforesaid, That all and every the Rights, Interests, Powers, Privileges, and Authorities, which are now vested in the said United Company of Merchants of *England* trading to the *East Indies*, and which are not hereby expressly taken away, altered, or varied, shall remain to, and continue in the said Company, in as full and ample a Manner, to all Intents and Purposes whatsoever, as if this Act had never been made.

Reservation of the Rights of the Company.

XXVI. And be it further enacted by the Authority aforesaid, That, during the Continuance of this Act, it shall not be lawful for the said United Company, or their Successors, or any of their Officers or Servants on their Account, to accept, or otherwise bind the said Company, or their Successors, for the Payment of any Bill or Bills of Exchange, drawn by any of their Officers or Servants, at any of their Presidencies in the *East Indies*, for any Sum exceeding the Sum of three hundred thousand Pounds, exclusive of Certificates, to the Amount of eight thousand Pounds, to the Commanders and Officers of each of the Company's Ships, in the Space of any one Year, without the Consent and Order first had and obtained of the Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, or of the High Treasurer for the Time being, who are hereby respectively authorized to give such Consent, or to make such Order thereon, as they shall judge expedient, and every Acceptance or Engagement made contrary to the true Meaning and Intent of this Act, shall be null and void to all Intents and Purposes.

Restrictions on Bills of Exchange.

XXVII. And be it further enacted by the Authority aforesaid, That no Bill, Promissory Note, or other Obligation for Money, issued, or to be issued, by any of the said United Company's Presidents and Councils, or Servants in the *East Indies*, or in *China* respectively, and made payable in the *East Indies*, or in *China* respectively, shall be payable in *England*, without the Consent of eighteen of the Directors of the Affairs of the said United Company first had and obtained for that Purpose; nor shall the said United Company be liable to the Payment of any Bill, Promissory Note, or other Obligation for Money, issued or to be issued as aforesaid, and made payable in *England*, unless accepted by, or by Order of, a Court of Directors.

Bills issued in India and made payable there, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That during the Continuance of this Act, it shall not be lawful for any *British* Subject or Subjects in the Service of the said United Company, or licensed by them to proceed to *India*, to reside in any other Place in *India* than in one of the principal Settlements belonging to the said United Company, or within ten Miles of such principal Settlement, without the special Licence of the said United Company, or of the President or Governor and Council of such principal Settlement, in Writing first had and obtained; nor shall any such *British* Subject or Subjects reside beyond the Limits aforesaid, for any longer Space of Time than shall be specified in the Orders of the said United Company, or in his or their Licence or Licences respectively.

British Subjects in India to reside, &c.

XXIX. And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Servant or Servants of the said United Company, or any other *British* Subject or Subjects residing in *India*, to lend any Sum or Sums of Money to any foreign Company or Companies, or to any foreign *European* Merchant or Merchants, or to purchase any Goods in *India* for or on Account of such foreign Company or Companies, *European* Merchant or Merchants, or to be concerned in lending such Sum or Sums of Money, or in purchasing such Goods, directly or indirectly, or to furnish such foreign Company or Companies, *European*

British Subjects not to lend Money to any foreign Company, &c.

ropean Merchant or Merchants, with the Credit of Bills drawn upon the Correspondents of ſuch Servant or Servants, or *British* Subject or Subjects, or any other Perſon or Perſons in *Europe*.

Penalty on *British* Subjects (other than the Company) who ſhall ſend Indian Goods to *Europe*.

XXX. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of July one thouſand ſeven hundred and eighty-two, it ſhall not be lawful for any *British* Subject, either in his own Name, or in the Name of any other Perſon or Perſons whatſoever, to carry on or be concerned in any Trade or Traffick whatſoever, in ſending any Kind of Goods and Merchandizes, the Produce or Manufacture of the *East Indies* or *China*, by the Way of *Suez*, or by any other Channel, to *Europe*; and in caſe any *British* Subject or Subjects ſhall carry on or be concerned in any ſuch Trade or Traffick as aforeſaid, he or they ſhall forfeit and pay to the ſaid United Company double the Value of the Goods and Merchandizes which ſhall ſo be ſent to *Europe*, to be recovered in any Court of Juſtice in the *East Indies*, or in his Maſtey's Court of King's Bench at *Westmiſter*.

Suits brought by the Court of Directors againſt private Traders, &c. not to be ſtopped, nor the Penalty or Damages mitigated, &c.

XXXI. And be it further enacted by the Authority aforeſaid, That, from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and eighty-one, in caſe the Court of Directors for the Affairs of the ſaid United Company ſhall order any Suit or Suits at Law or in Equity to be brought againſt any Perſon or Perſons for trading to or from the *East Indies*, without or beyond the Licence and Permiſſion of the ſaid United Company, or for any Offence or Offences committed by, or any Miſbehaviour of, any ſuch Perſon or Perſons, in his or their Station or Employment in the *East Indies*, it ſhall not be lawful for the ſaid Court of Directors of the ſaid United Company to put a Stop to ſuch Suit or Suits, or to remit or mitigate the Penalty, Damages, or Satisfaction ſought to be recovered thereby, before a final Judgement or Decree ſhall be obtained in ſuch Suit or Suits.

Regulations relative to raiſing Recruits for the Company's Service in *India*.

XXXII. And whereas it is neceſſary for the ſaid United Company to keep and maintain a Military Force in the *East Indies*, and the preſent Method of obtaining Recruits to keep up the ſame hath been found very inconve-nient and defective; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid United Company, by Licence from his Maſtey for that Purpoſe, from Time to Time to enliſt ſuch Number of Men, being his Maſtey's Subjects, and of ſuch Ages, and for ſuch Time, as ſhall be expreſſed in ſuch Licence, to ſerve them as Soldiers in the *East Indies*, and to depoſit and keep ſuch Men, not exceeding two thouſand at any one Time in Time of War, and one thouſand at any Time in Time of Peace, at ſuch Place or Places, in any Part of his Maſtey's Dominions in *Europe*, as ſhall be approved of for that Purpoſe by his Maſtey, until they can be ſent to *India*; and in caſe any Perſon or Perſons ſo enliſting and engaging, after he ſhall have ſigned an Agreement for that Purpoſe, and ſhall have declared before a Magiſtrate, at the Diſtance of twenty-four Hours at the leaſt after his firſt Enliſting, that he freely and voluntarily ſigned ſuch Agreement, and is willing to go to and ſerve the ſaid United Company as a Soldier in the *East Indies*, ſhall deſert from the Place appointed for him to reſide at till the Time of his Embarkation to go to the *East Indies*, ſo ſhall reſuſe to perform his Agreement, it ſhall be lawful for any Perſon or Perſons to apprehend ſuch Perſon or Perſons, and convey him before a Magiſtrate; and it ſhall be lawful for ſuch Magiſtrate, on Proof of the Caſe, to commit ſuch Perſon or Perſons to Gaol, there to be kept in ſafe Cuſtody, and maintained at the Expence of the ſaid United Company, until ſuch Perſon can be ſent to *India*; and it ſhall be lawful for the ſaid United Company to cauſe ſuch Perſon or Perſons to be conveyed in Cuſtody on Shipboard, to be carried to the *East Indies* in ſuch Service as aforeſaid.

Deſerters may be committed.

Veſſels belonging to the Company ſhall be deemed *British* Ships.

XXXIII. And whereas Doubts have ariſen, whether, agreeable to the Proviſions contained in an Act, made in the twelfth Year of the Reign of his Maſtey King CHARLES the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, Goods and Merchandize can lawfully be exported to, and imported from, the *East Indies*, and Places beyond the *Cape of Good Hope*, in Ships and Veſſels the Property of the ſaid United Company, by reaſon that many Foreigners are Proprietors of Stock of the ſaid United Company: And whereas it is fit and proper that Ships belonging to the ſaid United Company ſhould be conſidered as *British* Ships; be it therefore enacted by the Authority aforeſaid, That all Ships and Veſſels belonging to the ſaid United Company, whether built or purchaſed by the ſaid United Company, ſhall be conſidered, deemed, and taken to be *British* Ships, within the true Intent and Meaning of the ſaid Act of the twelfth Year of the Reign of his Maſtey King CHARLES the Second; and the ſaid United Company in reſpect thereof ſhall be intitled to all and every the Privileges and Advantages in and by the ſaid Act given and granted to the Owners of Ships wholly belonging to *British* Subjects, the ſame being navigated in the Manner preſcribed by the Laws now in being reſpecting *British*-built Ships; any Thing in the ſaid Act of the twelfth Year of the Reign of his Maſtey King CHARLES the Second in anywiſe notwithstanding.

Rep. 24 Geo. 3. Sefſ. 2. c. 25.

XXXIV. And be it further enacted by the Authority aforeſaid, That the Court of Directors of the ſaid United Company ſhall, and they are hereby required and directed, to deliver to the Commiſſioners of his Maſtey's Treafury, or any three or more of them for the Time being, or to the High Treafurer for the Time being, Copies of all ſuch Letters and Orders as ſhall or may any way relate to the Management of the Revenues of the ſaid United Company, fourteen Days at the leaſt before the ſending or diſpatching of ſuch Letters and Orders reſpectively; and in like Manner ſhall deliver, to one of his Maſtey's principal Secretaries of State, Copies of all ſuch Letters and Orders as ſhall or may any way relate to the Civil and Military Affairs and Government of the ſaid United Company, to any of their Servants in *India*, and ſuch Copies ſhall be ſigned by two or more of the Directors of the ſaid United Company; and that the ſaid Court of Directors of the ſaid United Company ſhall, and they are hereby required to pay due Obedience to, and ſhall be governed and bound by, ſuch Inſtructions as they ſhall receive from his Maſtey, by one of his Maſtey's principal Secretaries of State, ſo far as relates to the Conduct and Tranſactions of the ſaid United Company, and their Governors, Presidents, and Councils reſpectively, with the Country Powers in the

East

East Indies, and also to the levying War and making Peace, in such Orders as the said Court of Directors shall from thenceforth give to the Governor and Council of their Presidency of *Fort William* in *Bengal*, and also to their President and Council in the other Settlements respectively belonging to the said United Company: Provided nevertheless, That in case the Secretary of State, to whom the Copies of such Letters aforesaid shall be delivered, shall not, within fourteen Days after the Delivery thereof, communicate such Orders and Instructions as aforesaid, in Writing, to the said Court of Directors, then, and in such Case, it shall and may be lawful for the said Court of Directors to dispatch and send such Orders to their Servants in *India*, in such Manner as they shall think fit.

XXXV. And whereas by another Act, passed in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe*, it was, among other Things, enacted, That for the Government of the Presidency of *Fort William*, in *Bengal*, there should be appointed a Governor General, and four Councillors, and that the whole Civil and Military Government of the said Presidency, and also the Ordering, Management, and Government, of all the Territorial Acquisitions and Revenues in the Kingdoms of *Bengal*, *Babar*, and *Orissa*, should, during such Time as the Territorial Acquisitions and Revenues should remain in the Possession of the said United Company, be vested in the said Governor General and Council of the said Presidency of *Fort William* in *Bengal*; and also that the Governor General and four First Councillors, appointed by the said Act, should each of them hold and continue in his and their respective Offices for and during the Term of five Years, from the Time of their Arrival at *Fort William* in *Bengal*, and taking upon them the Government of the said Presidency, and should not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being; and in case of the Avoidance of the Office of such Governor General by Death, Resignation, or Removal, his Place should, during the Remainder of the Term aforesaid, as often as the Case should happen, be supplied by the Person of the Council who should stand next in Rank to such Governor General; and in case of the Death, Removal, Resignation, or Promotion, of any of the said Council, the Directors of the said United Company were thereby empowered, for and during the Remainder of the said Term of five Years, to nominate and appoint, by and with the Consent of his Majesty, his Heirs and Successors, to be signified as therein is mentioned, a Person to succeed to the Office so become vacant in the said Council; and until such Appointment should be made, all the Powers and Authorities vested in the Governor General and Council should rest and continue in, and be exercised and executed by, the Governor General and Council remaining and surviving: And whereas it may be expedient that certain Parts of the said recited Act, which are expired, should be revived and continued, subject to such Variations as herein-after are mentioned; be it therefore enacted by the Authority aforesaid, That the Person and Persons who at the Time of the passing of this Act shall have and enjoy the Office and Offices of Governor General, and Councillors of the said Presidency, shall hold and continue in his and their respective Offices for and during the Continuance of this Act, and shall not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being; and shall have and enjoy all and singular the Powers and Authorities vested by the said Act in the First Governor General and four First Councillors by the said Act appointed, and shall be subject to the same Restrictions and Limitations as by the said Act the First Governor General, and First four Councillors, were made subject; and that in case of the Avoidance of the Offices of such Governor General, or any of the said Councillors, such Office shall be respectively supplied in the same Manner as the same Office would by the said Act have been supplied during the Remainder of the Term of five Years, which was computed from the Time that the First Governor General, and four First Councillors, took upon them the Government of the said Presidency.

XXXVI. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Directors of the said United Company, and they are hereby empowered to nominate and appoint, by and with the Consent of his Majesty, his Heirs and Successors, to be signified under his or their Sign Manual, any one of the Council of the said Presidency of *Fort William* in *Bengal*, or any other Person, to succeed to the Place and Office of Governor General of the said Presidency of *Fort William* in *Bengal*, and from Time to Time to revoke the said Nomination and Appointment; and the Person so nominated and appointed shall succeed to the said Place or Office when the same shall happen to become vacant by the Death, Resignation, or Removal of the Governor General of the said Presidency for the Time being, and have all and every the Powers and Authorities of Governor General of the said Presidency of *Fort William* in *Bengal*, in like Manner as if he had succeeded after a Vacancy had happened; but nevertheless, the Person so to be appointed as aforesaid to succeed to the vacant Office of Governor General of the said Presidency of *Fort William* in *Bengal*, shall not be intitled to any Salary, Perquisite, Allowance, or Advantage whatsoever, as Governor General, until he shall become intitled unto, and take upon himself the said Office of Governor General of the said Presidency; and in case he shall not happen to be at *Fort William* in *Bengal* aforesaid, at the Time the said Vacancy shall happen, then and in such Case the said Office shall be supplied, until the Time of his Arrival at *Fort William* aforesaid, by the senior Councillor of the said Presidency.

XXXVII. And whereas it may be inconvenient to suffer the Office of a Councillor of the said Presidency of *Fort William* in *Bengal* to remain vacant till the same can be supplied in *England*, after the Advice of such Vacancy; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Directors of the said United Company, and they are hereby empowered, from Time

13 Geo. 3. c. 65

Persons who were Governor General and Councillors of the Presidency of *Fort William* in *Bengal*, shall not be removed during the Continuance of this Act, &c.

Directors, with the Consent of his Majesty, may appoint a new Governor General, in case of Death, &c.

Directors empowered to appoint two Persons to succeed whenever Vacancies shall happen, &c.

to Time, to nominate and appoint, by and with the Consent of his Majesty, his Heirs and Successors, to be signified under his or their Sign Manual, one or two Persons to succeed respectively to the Office of a Councillor of the said Presidency of *Fort William in Bengal*, whenever a Vacancy shall happen in that Office by any of the Ways in the said recited Act mentioned, and to declare which of the said two Persons shall first succeed to the said Office of a Councillor, and upon the first Vacancy in that Office the said Persons respectively shall succeed thereto accordingly, and have all and every the Powers and Authorities of a Councillor of the said Presidency of *Fort William in Bengal*, in like Manner as if he had been appointed thereto after a Vacancy had happened; and it shall and may be lawful for his Majesty, his Heirs and Successors, upon the Representation of the Court of Directors of the said United Company for the Time being, from Time to Time to revoke the Nomination and Appointment of such Persons to succeed to the vacant Office of a Councillor of the said Presidency, in like Manner as a Councillor of the said Presidency may be removed from such Office under the Authority of the said recited Act; but, nevertheless, the Persons so to be appointed as aforesaid to succeed to the vacant Office of a Councillor of the said Presidency, shall not be intitled as a Councillor to any Salary, Perquisite, Allowance, or Advantage whatsoever, until he shall become intitled unto, and take upon himself, the Office of a Councillor of the said Presidency.

Commander in Chief, if appointed a Councillor, shall take Rank as Second in Council, &c.

XXXVIII. And be it further enacted by the Authority aforesaid, That the Commander in Chief of all the said United Company's Military Forces in the *East Indies* for the Time being, provided he shall be appointed one of the Councillors of the said Presidency of *Fort William in Bengal*, shall, from Time to Time, and at all Times hereafter, take Rank as Second in Council at the said Presidency, but shall in no Case succeed to the Government of the said Presidency without a special Appointment for that Purpose; but in case of the Vacancy of Governor General of the said Presidency, at a Time when no Person shall be appointed to succeed to the Office of Governor General, the Councillor next in Rank to such Commander in Chief shall succeed to and hold the Office of Governor General until some other Person shall be appointed thereto, as herein-before is mentioned.

Territorial Acquisitions not affected.

XXXIX. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to prejudice or affect the Rights or Claims of the Publick, or the said United Company, respecting the said Territorial Acquisitions and Revenues.

Publick Act. See 24 Geo. 3. Sess. 2. c. 25.

XL. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; of which Notice shall be judicially taken by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

C A P. LXVI.

An Act to explain and amend an Act, made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the Use of their Benefices.*

17 Geo. 3. c. 53.

WHEREAS by an Act, passed in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the Use of their Benefices*; it is enacted, amongst other Things, That the Incumbent of every Living or Benefice, of which the Glebe, Tithes, Rents, and Profits, shall be mortgaged for the Purposes of the said Act, shall pay the Interest arising upon every such Mortgage, yearly, as the same shall become due; and also five Pounds *per Centum per Annum*, if such Incumbent was resident, and ten Pounds *per Centum per Annum*, if non-resident, of the Principal remaining due, by yearly Payments; which Words, if literally understood and observed, would, contrary to the true Intent and Meaning of the said Act, render the Discharge of the Principal Sum impracticable, and thereby discourage Persons from lending Money upon such Securities; 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 the Incumbent of every Living or Benefice of which the Glebes, Tithes, Rents, and Profits, have been or shall be mortgaged for the Purposes of the said Act, shall, from and after the passing of this Act, well and truly pay, or cause to be paid, to every such Mortgagee, over and besides the Interest of the Principal Money due upon such Mortgage, the Sum of five Pounds *per Centum per Annum*, if resident, or ten Pounds *per Centum per Annum*, if non-resident, of the Money originally advanced upon such Mortgage, until the whole of the said Principal Money shall be discharged; and if, upon any such Mortgage or Mortgages already made, less shall have been paid by the present Incumbent than what is hereby directed to be paid, he shall, and he is hereby required, within six Months after the passing of this Act, to make up the Deficiency; and in Default of Payment thereof within the Time aforesaid, the same shall be recovered in such and the same Manner as the Interest is recoverable by virtue of the Provisions in the said recited Act.

Incumbent, where Glebes, &c. be mortgaged, shall pay to the Mortgagee, &c.

Forms in the Schedule to be observed,

II. And be it further enacted, That the Forms contained in the said Schedule respecting the Allowance of Accounts, and the Bond and Receipt to be given by the Nominee, as directed by the said recited Act, or Forms to the like Effect, shall be observed and complied with in the Execution of this and the said recited Act.

III. And