

ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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CAP. LXVI.

An Act to amend the Laws relating to Aliens.

[6th *August* 1844.]

WHEREAS it is expedient that the Laws now in force affecting Aliens should be amended, and that Her Majesty should be enabled to grant to Aliens the Rights and Capacities of *British* Subjects, under such Regulations and with such Restrictions and Exceptions as are herein-after provided: And whereas an Act of Parliament was made and passed in the Twelfth Year of the Reign of His late Majesty King *William* the Third, intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject;* and another Act of Parliament was made and passed in the First Year of the Reign of His late Majesty King *George* the First, intituled *An Act to explain an Act made in the Twelfth Year of the Reign of King* William *the Third, intituled 'An Act for the further Limitation of the Crown, 'and better securing the Rights and Liberties of the Subject;'* and another Act of Parliament was made and passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to prevent certain Inconveniences that may happen by Bills of Naturalization:* Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

12 & 13 W. 3. c. 2.

1 G. 1. Sess. 2. c. 4.

14 G. 3. c. 84.

Provisions of recited Acts inconsistent herewith repealed.

ment assembled, and by the Authority of the same, That such Parts of the said recited Acts of Parliament as are inconsistent with the Provisions of this Act shall be repealed.

Certain Provision of 1 G. 1. c. 4. repealed.

II. And be it enacted, That so much of the said Act of the First Year of the Reign of King *George* the First as provides, that no Person shall hereafter be naturalized unless in the Bill exhibited for that Purpose there shall be a Clause or particular Words inserted to declare that such Person shall not thereby be enabled to be of the Privy Council, or a Member of either House of Parliament, or to take any Office either civil or military, or to have any Grant of Lands, Tenements, or Hereditaments from the Crown to himself or any other Person in trust for him, and that no Bill of Naturalization shall hereafter be received in either House of Parliament unless such Clause or Words be first inserted, be repealed.

Every Person born of a British Mother capable of holding Real or Personal Estate.

III. And be it enacted, That every Person now born, or hereafter to be born, out of Her Majesty's Dominions, of a Mother being a natural-born Subject of the United Kingdom, shall be capable of taking to him, his Heirs, Executors, or Administrators, any Estate, Real or Personal, by Devise or Purchase, or Inheritance of Succession.

Alien Friends may hold every Species of Personal Property except Chattels Real.

IV. And be it enacted, That from and after the passing of this Act every Alien, being the Subject of a friendly State, shall and may take and hold, by Purchase, Gift, Bequest, Representation, or otherwise, every Species of Personal Property, except Chattels Real, as fully and effectually to all Intents and Purposes, and with the same Rights, Remedies, Exemptions, Privileges, and Capacities, as if he were a natural-born Subject of the United Kingdom.

Subjects of a friendly State may hold Lands, &c. for the Purpose of Residence, &c. for Twenty-one Years.

V. And be it enacted, That every Alien now residing in, or who shall hereafter come to reside in, any Part of the United Kingdom, and being the Subject of a friendly State, may, by Grant, Lease, Demise, Assignment, Bequest, Representation, or otherwise, take and hold any Lands, Houses, or other Tenements, for the Purpose of Residence or of Occupation by him or her, or his or her Servants, or for the Purpose of any Business, Trade, or Manufacture, for any Term of Years not exceeding Twenty-one Years, as fully and effectually to all Intents and Purposes, and with the same Rights, Remedies, Exemptions, and Privileges, except the Right to vote at Elections for Members of Parliament, as if he were a natural-born Subject of the United Kingdom.

Aliens to become naturalized upon obtaining Certificate, taking prescribed Oath, and becoming Residents in the United Kingdom.

VI. And be it enacted, That upon obtaining the Certificate and taking the Oath herein-after prescribed every Alien now residing in, or who shall hereafter come to reside in, any Part of *Great Britain* or *Ireland* with Intent to settle therein, shall enjoy all the Rights and Capacities which a natural-born Subject of the United Kingdom can enjoy or transmit, except that such Alien shall not be capable of becoming of Her Majesty's Privy Council, nor a Member of either House of Parliament, nor of enjoying such other Rights and Capacities, if any, as shall be specially excepted in and by the Certificate to be granted in manner herein-after mentioned.

VII. And

Aliens desirous of becoming naturalized to present a Memorial.

VII. And be it enacted, That it shall be lawful for any such Alien as aforesaid to present to One of Her Majesty's Principal Secretaries of State a Memorial, stating the Age, Profession, Trade, or other Occupation of the Memorialist, and the Duration of his Residence in *Great Britain* or *Ireland*, and all other the Grounds on which he seeks to obtain any of the Rights and Capacities of a natural-born *British* Subject, and praying the said Secretary of State to grant to the Memorialist the Certificate herein-after mentioned.

Memorial to be considered by the Secretary of State for the Home Department; who may issue a Certificate.

VIII. And be it enacted, That every such Memorial shall be considered by the said Secretary of State, who shall inquire into the Circumstances of each Case, and receive all such Evidence as shall be offered, by Affidavit or otherwise, as he may deem necessary or proper for proving the Truth of the Allegations contained in such Memorial; and that the said Secretary of State, if he shall so think fit, may issue a Certificate, reciting such of the Contents of the Memorial as he shall consider to be true and material, and granting to the Memorialist (upon his taking the Oath herein-after prescribed) all the Rights and Capacities of a natural-born *British* Subject, except the Capacity of being a Member of the Privy Council or a Member of either House of Parliament, and except the Rights and Capacities (if any) specially excepted in and by such Certificate.

Certificate to be enrolled in Court of Chancery.

IX. And be it enacted, That such Certificate shall be enrolled for safe Custody as of Record in Her Majesty's High Court of Chancery, and may be inspected, and Copies thereof taken, under such Regulations as the Lord High Chancellor shall direct.

Oath to be taken.

X. And be it enacted, That, within Sixty Days from the Day of the Date of such Certificate, every Memorialist to whom Rights and Capacities shall be granted by such Certificate shall take and subscribe the following Oath; (that is to say,)

'I *A.B.* do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty Queen *Victoria*, and will defend Her to the utmost of my Power against all Conspiracies and Attempts whatever which may be made against Her Person, Crown, or Dignity; and I will do my utmost Endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all Treasons and traitorous Conspiracies which may be formed against Her or them; and I do faithfully promise to maintain, support, and defend to the utmost of my Power the Succession of the Crown, which Succession, by an Act, intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is and stands limited to the Princess *Sophia* Electress of *Hanover*, and the Heirs of her Body, being Protestants, hereby utterly renouncing and abjuring any Obedience or Allegiance unto any other Person claiming or pretending a Right to the Crown of this Realm. So help me GOD.'

Which Oath shall be taken and subscribed by such Memorialist, and shall be duly administered to him or her, before any of Her Majesty's Judges of the Court of Queen's Bench or Court of Common Pleas or Court of Exchequer, or before any Master or Master Extraordinary in

in Chancery; and that the Judge or Master or Master Extraordinary in Chancery, whether in *England* or in *Ireland*, before whom such Oath may be administered, shall grant to the Memorialist a Certificate of his or her having taken and subscribed such Oath accordingly; and such Certificate shall be signed by the Judge, Master or Master Extraordinary in Chancery, before whom such Oath shall be administered.

Proceedings for obtaining Certificate.

XI. And be it enacted, That the several Proceedings hereby authorized to be taken for obtaining such Certificate as aforesaid shall be regulated in such Manner as the Secretary of State shall from Time to Time direct.

Amount of Fees to be payable.

XII. And be it enacted, That the Fees payable in respect of the several Proceedings hereby authorized shall be fixed and regulated by the Commissioners of Her Majesty's Treasury.

Naturalized Persons resident Five Years to enjoy Rights as Aliens.

XIII. And be it enacted, That all Persons who shall have been naturalized before the passing of this Act, and who shall have resided in the United Kingdom during Five successive Years, shall be deemed entitled to and shall enjoy all such Rights and Capacities of *British* Subjects as may be conferred on Aliens by the Provisions of this Act.

Act not to affect pre-existing Rights.

XIV. Provided always, and be it enacted, That nothing in this Act shall prejudice, or be construed to prejudice, any Rights or Interests in Law or in Equity, whether vested or contingent, under any Will, Deed, or Settlement executed by any natural-born Subject of *Great Britain* or *Ireland* before the passing of this Act, or under any Descent or Representation from or under any such natural-born Subject who shall have died before the passing of this Act.

Act not to take away Rights of Aliens.

XV. And be it enacted, That nothing herein contained shall be construed so as to take away or diminish any Right, Privilege, or Capacity heretofore lawfully possessed by or belonging to Aliens residing in *Great Britain* or *Ireland*, so far as relates to the Possession or Enjoyment of any Real or Personal Property, but that all such Rights shall continue to be enjoyed by such Aliens in as full and ample a Manner as such Rights were enjoyed before the passing of this Act.

Women married to natural born Subjects deemed naturalized.

XVI. And be it enacted, That any Woman married or who shall be married to a natural-born Subject or Person naturalized shall be deemed and taken to be herself naturalized, and have all the Rights and Privileges of a natural-born Subject.

Act may be amended this Session.

XVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1844.