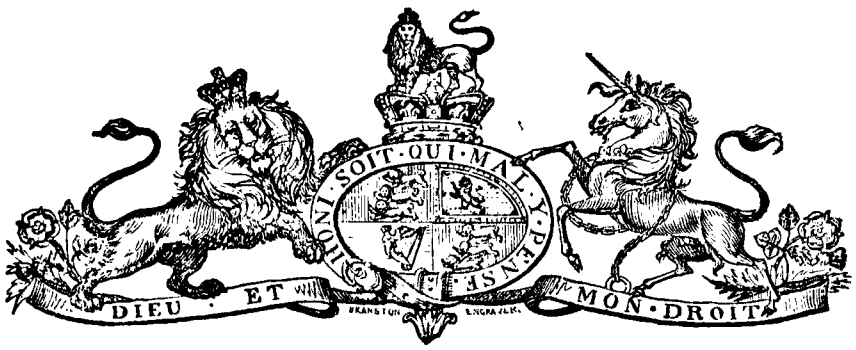


ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

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CAP. XLIX.

An Act to transfer the Management of certain Annuities on Lives from the Trustees of the *Waterloo* Subscription Fund to the Commissioners for the Reduction of the National Debt, and to amend several Acts for enabling the said Commissioners to grant Life Annuities and Annuities for Terms of Years. [27th *July* 1838.]

WHEREAS by virtue of the Power contained in an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend and render more effectual several Acts for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities, and to empower the said Commissioners to grant Annuities for Lives or Years, for promoting the beneficial Purposes of the Fund commonly called the* Waterloo *Subscription*, the Trustees of the said Fund purchased from the Commissioners for the Reduction of the National Debt 59 G. 3. c. 34.

 certain

certain Life Annuities for the Benefit of certain Parties to whom they had granted Annuities, which Annuities have been since from Time to Time received by the said Trustees and paid over to the said Parties: And whereas the said Trustees and the Chairman and Managers of the said *Waterloo* Subscription are desirous that in future the said Annuities should be paid by the said Commissioners to the Parties entitled thereto, and that they should have no further Control over the same, but should be released and discharged from acting as such Trustees, Chairmen, and Managers: 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 assembled, and by the Authority of the same, That it shall and may be lawful to and for the surviving existing Trustees of the *Waterloo* Subscription, under and subject to such Terms and Conditions as shall be approved of by the Commissioners of Her Majesty's Treasury or any Three or more of them, to transfer the said Annuities now standing in their Names to the Names of the said Parties who on the Day of the passing of this Act may be entitled to receive the same.

Trustees may transfer Annuities to Names of Parties entitled thereto.

Annuities to be in future received from Commissioners.

II. And be it enacted, That the Parties who on the passing of this Act were entitled to the said Annuities shall thenceforward receive the same from the said Commissioners instead of from the said Trustees.

Payment of Annuities to be subject to same Regulations as other Life Annuities.

III. And be it enacted, That the Payment of the said Annuities arising from the *Waterloo* Subscription Fund, or of any Part, on the Death of the Annuitant shall be under and subject to the same Rules and Regulations as now are or may at any Time hereafter be in force respecting Life Annuities granted by the said Commissioners.

Times of Payment of Annuities.

IV. And be it enacted, That the Annuities to which any Party or Parties may be entitled from the said *Waterloo* Subscription Fund or under this Act shall be payable half-yearly, namely, the Fifth Day of *January* and the Fifth Day of *July* in each and every Year; the first Payment thereof to be made by the said Commissioners on the Fifth Day of *January* One thousand eight hundred and thirty-nine,

No Annuity under this Act to be assignable.

V. And be it enacted, That no Annuity payable under this Act shall be assignable or transferrable by any Party entitled thereto, and in case any such Party shall assign or transfer such Annuity the same shall cease and become forfeited.

VI. And

On Death of Annuitant Executor, &c. entitled to Payment of Annuity to 5th January, &c. after Death of Party.

VI. And be it enacted, That upon the Death of any Party entitled to any Annuity arising from the *Waterloo* Subscription Fund under the Authority of this Act, the Executors, Administrators, or next of Kin of such Party shall be entitled to receive the Amount of such Annuity which would have been due on the Fifth Day of *January* or Fifth Day of *July*, as the Case may be, up to the half-yearly Day of Payment next following the Day of the Decease of such Party.

Certificates, &c. exempt from Stamp Duty.

VII. And be it enacted, That all Certificates, Powers of Attorney, and also all other Documents whatever (except Probates of Wills or Letters of Administration) which may be required by the said Commissioners to be made, given, or produced by any Party entitled to any Annuity payable under this Act shall be free and exempt from Stamp Duty.

Clerks, &c. to be appointed by Commissioners.

VIII. And be it enacted, That it shall be lawful for the Commissioners for the Reduction of the National Debt, and they are hereby authorized and empowered, from Time to Time to appoint such Officers, Clerks, and other Persons as may be necessary for carrying this Act into execution, and as may be approved by the Commissioners of Her Majesty's Treasury.

Lords of Treasury to pay Salary of Clerks.

IX. And be it enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or any Three or more of them, for the Time being, to order and direct to be received and paid, out of the Fund upon which the Establishment of the Commissioners for the Reduction of the National Debt is chargeable, any Sum or Sums of Money for the Payment of Salaries to Officers and Clerks acting in the Execution of this Act, and for discharging such incidental Expences as shall necessarily attend the Execution thereof, in such Manner as the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall from Time to Time think fit and reasonable.

Declaration of Identity under certain Irish Acts to be in same Form, &c. as under 2 & 3 Will. 4. c. 59.

X. And whereas it is necessary to remove Doubts which exist as to the Declaration of Identity, upon Production of the Certificate of the Existence or of the Death of Nominees, in the Case of Annuities payable under and by virtue of an Act passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting Annuities, in the Manner therein provided, to such Persons as shall voluntarily subscribe towards the raising a Sum not exceeding the Sum of Two hundred and sixty-five thousand Pounds*; and also of another Act passed in the Fifteenth

and

and Sixteenth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting Annuities, in the Manner therein provided, to such Persons as shall voluntarily subscribe towards the raising a Sum not exceeding the Sum of One hundred and seventy-five thousand Pounds;* and also of another Act passed in the Nineteenth and Twentieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting unto His Majesty the several Duties, Rates, Impositions, and Taxes therein particularly expressed, to be applied to the Payment of the Interest of the Sums therein provided for, and towards the Discharge of the said Principal Sums, in such Manner as therein is directed, and for other Purposes as are therein mentioned;* be it enacted, That such Declaration shall be in the same Form and subject to the same Rules and Regulations as Declarations of the same Kind required under and by virtue of an Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to transfer the Management of certain Annuities on Lives from the Receipt of His Majesty's Exchequer to the Management of the Commissioners for the Reduction of the National Debt, and to amend an Act for enabling the said Commissioners to grant Life Annuities and Annuities for Terms of Years,* and shall be deemed sufficient if made and signed by the Proprietors of the said Annuity, or by his, her, or their Attorney or Attornies, without being made before any Justice of the Peace or other Authority: Provided always, that in case of any fraudulent Declaration the Party making the same shall be subject and liable to the same Penalty as is imposed in or by the last-mentioned Act.

If on Death of Annuitant or Nominee the Sum claimed does not exceed 10*l.*, the same may be paid without Production of Letters of Administration.

XI. And be it enacted, That in case of the Death of any Party or Nominee after the passing of this Act who is entitled to an Annuity payable by the said Commissioners under the Authority of this or any other Act now in force or which may hereafter be in force, if such Party shall die intestate, and Letters of Administration shall not be taken out to his or her Effects, and if the Sum claimed shall not exceed Ten Pounds, it shall be lawful for the said Commissioners to pay the same, without the Production of Letters of Administration, to any Party, being one of the next of Kin of the Deceased, upon such Party making a Declaration to that Effect, in such Form as the said Commissioners, or the Comptroller General, or Assistant Comptroller acting under the said Commissioners, shall think fit: Provided always, that in case such Declaration shall be false the Party making the same shall be subject to the like Penalty as is imposed in and by the said Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth.

Penalty on false Declaration.

XII. And

On Death of Party or Nominee entitled to an Annuity, the Production of Probate or Letters of Administration when sufficient.

XII. And be it enacted, That in case of the Death of any Party or Nominee entitled to any Annuity payable by the said Commissioners under the Authority of this or any other Act now in force or which may hereafter be in force, the Production of Probate or Letters of Administration, to an Amount exceeding the Sum claimed of the said Commissioners, granted by any Court in *Great Britain* or *Ireland* having Authority to grant the same, shall be a sufficient Authority to the said Commissioners to pay to the Party to whom such Probate or Letters of Administration may be granted any Sum which may be due on account of such Annuity.

Evidence of Existence or Death of Nominee when admissible.

XIII. And be it enacted, That whenever it shall be proved to the Satisfaction of the said Commissioners, or of the Comptroller General, or of the Assistant Comptroller acting under the said Commissioners, that the Certificate proving the Existence or Death of any Nominee, as required by the Acts under which any Life Annuity may have been or may be granted, or of any Annuity which may be payable by the said Commissioners, cannot be produced, it shall and may be lawful to and for the said Commissioners, or Comptroller General, or Assistant Comptroller General, to admit such other Evidence of the Existence or Death of the said Nominee as they may under the Circumstances of each particular Case deem expedient and sufficient.

Certificate of Registrar General of Births, &c. sufficient.

XIV. And be it enacted, That the Production of the Certificate under the Hand of any Superintendent Registrar or Registrar of Births and Deaths, to be attested by Two or more credible Witnesses, certifying that such Certificate is a true Copy of the Register Book, or of the Certificate of the Registrar General under the Seal of the Register Office, shall be sufficient Evidence of the Birth, Death, or Marriage of any Nominee in each Case, any thing in the said Acts or in any other Act for enabling the said Commissioners to grant Life Annuities to the contrary thereof notwithstanding: Provided always, that every such Certificate shall be accompanied with a Declaration of the Identity of every such Nominee, to be made, taken, and declared by and before such and the like Authorities as are mentioned in any of the said Acts; and whenever any such Certificate of Birth, Death, or Marriage shall be produced of any Superintendent Registrar or Registrar of Births and Deaths (other than that of the Registrar General) a Declaration shall be annexed thereunto of the Witnesses who attested the Execution thereof, or One of them, or their, his, or her solemn Affirmation in case they or either of them shall be of the People called Quakers or Moravians or Separatists, to be made before any Justice of the Peace or Magistrate of the County, City, Riding, Town, or Place wherein the Place of the Birth, Death, or Marriage of

any such Nominee shall be situate, setting forth that such Witness or Witnesses did examine and compare the said Copy of the Register of Birth, Death, or Marriage with the Register thereof, and that it is a true and literal Copy thereof, and did see such Registrar or Superintendent Registrar (as the Case may be) sign the said Certificate, and that the Names of such Witnesses are of their own proper Handwriting.

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