ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. LXXXV.

An Act to regulate the taking of Securities in all Offices, in respect of which Security ought to be given; and for avoiding the Grant of all such Offices, in the Event of such Security not being given within a Time to be limited after the Grant of such Office. [15th *June* 1810.]

WHEREAS it is highly expedient that Provision should be made, for preventing any Negligence, Omission, or Irregularity, in the giving of due Securities by all Persons employed in Situations of Public Trust, and concerned in the Receipt and Distribution or Expenditure of Public Money, who are required to give Security to account for Public Monies coming to their Hands; and for ascertaining the Death of any Surety or Sureties of any such Person; 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 every Person who shall, after the passing of this Act, be appointed to any Office or Employment or Commission, Civil or Military, in any Public Department belonging to that Part of the United Kingdom called *England*, or to any such Office or Employment of Public Trust under the Crown, or wherein he shall be concerned in the Collection, Receipt, Disbursement, or Expenditure of any Public Monies, and who by reason thereof shall be required to give Security with Surety or Sureties or otherwise, shall, within One Month after Notice of such Appointment, if he shall then be in *England*, or within Two Months if he shall then be in *Scotland* or *Ireland*, or within Six Months if he shall then be in any other Part of *Europe* or in *America* or the *West Indies*, or within Nine Months if he shall then be in *Africa*, or within Eighteen Months if he shall then be in the *East Indies* or in any other Part of *Asia*, or within Ten Months if he shall then be on the High Seas, (unless he shall sooner arive in *England* or *Wales* or *Scotland* or *Ireland*, and then within Two Months after such Arrival) give, execute, and enter into a Bond or Bonds or other Security or Securities, in such Sum and with such sufficient Surety or Sureties as shall be approved of by the Lords Com-

Persons appointed to Offices of Public Trust in England shall give Security within certain Periods.

Commiſſioners of the Treaſury or any Three or more of them, or by the principal Officer or Officers or Perſon or Perſons in the Office or Department to which he ſhall be appointed, for the due Performance of the Truſt repoſed in him, and for the duly accounting for all Public Monies entruſted to him or placed under his Controul.

Perſons already appointed to give Security within the Periods herein mentioned

II. And be it further enacted, That every Perſon who, before the paſſing of this Act, ſhall have been appointed to and ſhall hold any Office or Employment or Commiſſion Civil or Military, in any Public Department belonging to that Part of the United Kingdom called *England*, or any ſuch Office or Employment of Public Truſt under the Crown, or wherein he ſhall be concerned in the Collection, Receipt, Diſburſement, or Expenditure of Public Monies, and who by reaſon thereof ſhall have been or ſhall be required to give Security with Surety or Sureties or otherwiſe, and who ſhall not before have given ſuch Security, ſhall, within One Month after the paſſing of this Act if ſuch Perſon ſhall then be in *England* or *Wales*, within Two Months if he ſhall then be in *Scotland*, or within Three Months if he ſhall then be in *Ireland*, or within Six Months if he ſhall then be in any other Part of *Europe* or in the *Weſt Indies* or *America*, or within Nine Months if he ſhall then be in *Africa*, or within Eighteen Months if he ſhall then be in the *Eaſt Indies* or in any other Part of *Aſia*, or within Ten Months if he ſhall then be on the High Seas (unleſs he ſhall ſooner arrive in *England*, *Wales*, or *Scotland* or *Ireland*, and then within Two Months after ſuch Arrival) give and execute and enter into a Bond or Bonds or other Security or Securities, in ſuch Sum of Money and with ſuch ſufficient Surety or Sureties as ſhall be approved by the Lords Commiſſioners of the Treaſury or any Three or more of them, or by the principal Officer or Officers of the Office or Department to which he belongs, for the due Performance of the Truſt repoſed in him, and for the duly accounting for all the Public Monies entruſted to him or placed under his Controul.

Perſons giving Security to regiſter Memorials in manner after mentioned.

III. And be it further enacted, That every Perſon who, by reaſon of his Appointment to or holding of any Office or Employment or Commiſſion Civil or Military, in any Public Department in *England* or of Public Truſt under the Crown, or who, by reaſon of being concerned in the Collection, Receipt, Diſburſement, or Expenditure of any Public Monies, ſhall before the paſſing of this Act, have given or executed or entered into, or ſhall hereafter give or execute or enter into, any Bond or Bonds or other Security or Securities for the due Performance of the Truſt repoſed in him, or for the duly accounting for Monies entruſted to him, ſhall cauſe a Memorial of ſuch Bond or Bonds, or Security or Securities to be regiſtered with the Regiſter of the County of *Middleſex* in Manner herein-after mentioned; and every ſuch Memorial ſhall, as to all Bonds and Securities entered into before the paſſing of this Act, be regiſtered, if the Perſon on whoſe Behalf the ſame ſhall have been entered into ſhall reſide or be in *Great Britain*, within Four Months after the paſſing of this Act, and if in *Ireland* within Three Months, and if in any other Part of *Europe* or in the *Weſt Indies* or *America* within Twelve Months, and if in *Africa* within Fifteen Months, and if in the *Eaſt Indies* or in any other Part of *Aſia* within Eighteen Months, and if on the High Seas within Twelve Months (unleſs he ſhall ſooner arrive in *England* or *Wales*, *Scotland* or *Ireland*, and then within Four Months after ſuch Arrival) reſpectively after the paſſing of this Act, and as to all ſuch Bonds and Securities to be entered into after the paſſing of this Act, ſuch Memorials ſhall be regiſtered within the like Periods reſpectively after entering into the ſame, according to the Place or Country

Country in which the Perſon appointed ſhall be at the Time of giving, executing, or entering into ſuch Bond or other Security as aforeſaid.

Memorials to be produced to the Perſons with whom Security is depoſited, who is to ſign and deliver it to the Party,

IV. And be it further enacted, That every ſuch Perſon required by this Act to regiſter any ſuch Memorials as aforeſaid, ſhall produce or cauſe to be produced by his Agent or ſome Perſon acting on his Behalf, to the Officer or other Perſon with whom his Bond or Bonds or other Security or Securities ſhall have been or is to be depoſited, a Memorial of ſuch Bond or Bonds or other Security or Securities ſigned by himſelf, containing the Chriſtian and Surnames, and Additions and Places of Abode of himſelf and of his Sureties, if any, and the ſeveral Sums in which they are reſpectively bound, together with the Date or reſpective Dates of the ſaid Bond or Bonds, or other Security or Securities, and the Subſtance of the Condition or Conditions thereof; and the Officer or Perſon to whom ſuch Memorial ſhall be ſo produced, if the ſame appears to him to be correct, ſhall ſign and redeliver ſuch Memorial to the Perſon producing the ſame.

and afterwards it ſhall be filed in the Regiſter Office for Middleſex.

V. And be it further enacted, That every ſuch Memorial, after the ſame ſhall have been ſo produced, ſigned, and redelivered as aforeſaid, ſhall within the reſpective Periods herein-before limited for regiſtering the ſame, be produced, and left with the Regiſter or Maſter of the Regiſter Office for the County of *Middleſex*, eſtabliſhed under an Act paſſed in the Seventh Year of the Reign of Her late Majeſty Queen *Anne*, to be filed in the ſaid Public Regiſter Office, together with an Affidavit, ſworn before ſome Perſon empowered by Law to adminiſter an Oath, that ſuch Memorial was duly ſigned by the Officer or Perſon with whom the Security was depoſited.

Certificate of Regiſter to be given.

VI. And be it further enacted, That the ſaid Regiſter or Maſter ſhall make an Entry, and likewiſe if required ſhall give a Certificate in Writing under his Hand, teſtified by Two credible Witneſſes, of every ſuch Memorial brought to him to be regiſtered as aforeſaid, and therein ſhall mention the certain Day on which ſuch Memorial ſhall be ſo regiſtered or entered, expreſſing alſo in what Book, Page, or Number the ſame is entered: And for the Purpoſe of entering or regiſtering Memorials under the Proviſions of this Act as aforeſaid, the Regiſter or Maſter ſhall provide a ſeparate Regiſter Book, and every Page of ſuch Regiſter Book and every Memorial that ſhall be entered therein ſhall be numbered, and the Day of the Month and Year when every ſuch Memorial is regiſtered ſhall be entered in the Margin of the ſaid Regiſter Books and in the Margins of the ſaid Memorials; and that every ſuch Regiſter or Maſter ſhall keep a ſeparate Alphabetical Calendar of the Names of the Principals and Sureties mentioned in ſuch Memorials, with References to the Book, Page, or Number where the Memorials containing ſuch Names are to be found; and ſuch Regiſter or Maſter ſhall duly file every ſuch Memorial in order of Time as the ſame ſhall be brought to the ſaid Office, and enter and regiſter the ſaid Memorials in the ſame Order in which they ſhall reſpectively come to his Hands.

Perſons neglecting to give Security and regiſter Memorials to forfeit their Offices.

VII. Provided always, and be it further enacted, That if any Perſon who by reaſon of his Appointment to or holding of any ſuch Office or Employment or Commiſſion Civil or Military, in any Public Department or of Public Truſt, or who by reaſon of being concerned in the Collection, Receipt, Diſburſement, or Expenditure of any Public Money is required or bound to give any ſuch Security or regiſter any ſuch Memorial as aforeſaid, ſhall neglect to give ſuch Security and to cauſe ſuch Memorial thereof to be duly regiſtered in Manner aforeſaid, and within the Period ſpecified in this Act, he ſhall forfeit and be deprived of the Appointment, Office, Employment,

or Commiſſion, in reſpect whereof ſuch Security ought to have been given and Memorial regiſtered as aforeſaid, and every ſuch Appointment, Office, Employment, or Commiſſion, ſhall from and after the Period ſpecified in this Act for regiſtering ſuch Memorial be wholly void and of none Effect: Provided always, that ſuch Avoidance ſhall not annul or make void any Act or Order, or other Matter or Thing, done by ſuch Perſon during the Time he actually held ſuch Appointment, Office, Employment, or Commiſſion: Provided always, that no ſuch Forfeiture ſhall take place by reaſon of any ſuch Memorial not being regiſtered under this Act, in which the proper Sureties ſhall have been given and Memorial made out, and where the Failure of Regiſter ſhall have ariſen from the Loſs of ſuch Memorial in the tranſmitting thereof from beyond the Seas; provided that in every ſuch Caſe a new Memorial, ſpecifying the reaſon of ſuch Delay, ſhall be made out and ſigned and regiſtered within the like Period, after the Perſon giving ſuch Security ſhall have received Notice of the Loſs, regard being had to the Place where he ſhall then be, as is required by this Act for the regiſtry thereof if ſuch Loſs had not ariſen: Provided alſo, that it ſhall be lawful for His Majeſty to remit any ſuch Forfeiture, in any Caſe in which any Failure of Regiſtering any ſuch Memorial ſhall not have ariſen from any Neglect or Omiſſion of the Perſon bound to regiſter the ſame.

Penalty on Perſons giving Security neglecting to give Notice of the Death of any of his Sureties.

VIII. And be it further enacted, That every ſuch Perſon as aforeſaid, who ſhall have given any Bond or Bonds, or other Security or Securities, with Surety or Sureties for the due Execution of the Truſt repoſed in him, or for the duly accounting for Public Monies coming to his Hands, ſhall give Notice in Writing to One of the Secretaries of His Majeſty's Treaſury, or to the Head of the Office or Department to which he ſhall belong, of the Death of any Surety or Sureties or Perſon or Perſons bound for or with him in any ſuch Security or Securities, within One Calendar Month after the ſame ſhall have come to his Knowledge, if he ſhall reſide or be in *Great Britain*, or within Four Months, if in *Ireland*, or within Six Months, if in any other Part of *Europe*, or in any Colony or Plantation in the *Weſt Indies* or *America*, or within Nine Months, if in *Africa*, or within Twelve Months, if in *India* or in any other Part of *Aſia*, or within Ten Months if he ſhall be on the High Seas (unleſs he ſhall ſooner arrive in *England*, *Wales*, *Scotland*, or *Ireland*, and then within Two Months after ſuch Arrival); and any Perſon who ſhall neglect to give ſuch Notice within ſuch Period as aforeſaid ſhall forfeit One-fourth Part of the Sum for which the Surety ſo dead ſhall have given Security, to the Uſe of His Majeſty, to be recovered in any of the Courts at *Weſtminſter*, by Action of Debt, Bill, Plaint, or Information, at the Suit of His Majeſty's Attorney General; and every ſuch Perſon who ſhall upon the Death of any Surety neglect to give the Security of another Surety, to be approved in ſuch Manner as ſuch Surety dying was approved, within ſuch Period from his having Notice of ſuch Death, and to regiſter a Memorial of the Security of ſuch new Surety within ſuch Period from his having given the Security of ſuch new Surety, as are herein reſpectively limited for giving and regiſtering the original Security, the ſame Regard being had to the Place in which ſuch Perſon may then be, ſhall forfeit his Appointment, Office, Employment, or Commiſſion, in like Manner and under and ſubject to ſuch Proviſions as aforeſaid.

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