ANNO TRICESIMO QUINTO

# Georgii III. Regis.

## CAP. CXXV.

An Act for preventing the Accumulation of Debts by any future Heir Apparent of the Crown, and for regulating the Mode of Expenditure from the Time when a ſeparate Eſtabliſhment ſhall be made for ſuch future Heir Apparent. [26th *June* 1795.]

WHEREAS it is expedient to eſtabliſh a regular Courſe of Payment of all juſt Demands which may be hereafter made upon any future Heir Apparent of the Crown, for any Debt to be incurred, and that the Accumulation of Debt may be prevented: May it 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, from and after the Time that a ſeparate Eſtabliſhment ſhall be made for any ſuch future Heir Apparent, the principal Officer or Officers of ſuch Heir Apparent ſhall, within Fourteen Days after ſuch Eſtabliſhment ſhall be made, prepare and make out, for the Approbation of ſuch Heir Apparent, a Plan of his Eſtabliſhment in diſtinct Departments and Claſſes, and in ſuch Order as ſuch Officer or Officers ſhall think fit and expedient, together with a Plan of the Salaries and Payments of each Claſs, and of each individual Office therein; and ſhall alſo prepare and make out an Eſtimate of the

Preamble.

When a ſeparate Eſtabliſhment ſhall be made for any future Heir Apparent, his principal Officer to make out a Plan of Eſtabliſhment, &c.

Annual Expences of each diſtinct Department in ſuch Eſtabliſhment, One Copy of which Plan and Eſtimate, after being approved of by ſuch Heir Apparent, ſhall be forthwith lodged with the Commiſſioners of His Majeſty's Treaſury, and another in the Office of the Treaſurer, or ſuch principal Officer or Officers for the Time being as ſhall be appointed by ſuch Heir Apparent, and another with the Clerks of the Two Houſes of Parliament reſpectively: And that, from and after the Firſt Quarterly Day for the Payment of the Revenue ſo eſtabliſhed as aforeſaid, all Diſburſements which ſhall be made out of ſuch Revenues for any of the Purpoſes aforeſaid, ſhall be made by ſuch Treaſurer or principal Officer or Officers in the Order ſpecified in ſuch Plan and Eſtimate, and no other; for which Diſburſements to be made in the Order ſo ſpecified, ſuch Treaſurer or principal Officer or Officers for the Time being ſhall be reſponſible and liable to anſwer the Damages to the Party grieved: Provided nevertheleſs, that if it ſhall at any Time be neceſſary or expedient to alter the ſaid Plan of Eſtabliſhment or Eſtimate of Expences as aforeſaid, it ſhall and may be lawful for ſuch principal Officer or Officers, being directed ſo to do by ſuch Heir Apparent, to ſtate ſuch Alteration as may be thought neceſſary to be made therein; and if the ſame ſhall be approved of by ſuch Heir Apparent, ſuch Alteration, ſo made in ſuch Plan of Eſtabliſhment or Eſtimate of Expences, ſhall be lodged as is herein-before mentioned; and that upon any Encreaſe being made to the ſaid ſeparate Eſtabliſhment of ſuch Heir Apparent, the ſaid Treaſurer or principal Officer ſhall prepare and make out, for the Approbation of ſuch Heir Apparent, a new Plan and Eſtimate in Manner herein-before directed; and the ſeveral Clauſes and Proviſions herein contained ſhall from thenceforth apply to ſuch new Plan and Eſtimate.

All Diſburſements from the Revenues to be made by the Treaſurer, for which he ſhall be reſponſible.

Plan may be altered.

II. And be it further enacted, That ſuch Treaſurer, or principal Officer or Officers for the Time being, ſhall cauſe a Book or Books to be kept, in which all Payments for any of the Purpoſes aforeſaid ſhall be duly entered in the Order and Courſe of Payment, with the Day, Month, and Year, of paying the ſame; and it ſhall be lawful for the Commiſſioners of His Majeſty's Treaſury for the Time being, from Time to Time, (and they are hereby required ſo to do Once at leaſt in every Year), to demand an Inſpection of ſuch Book or Books, or any Copy or Copies of the ſame, or any Part thereof, and the ſaid Treaſurer, or principal Officer or Officers, is and are hereby required to pay Obedience to the Orders of the ſaid Commiſſioners for that Purpoſe.

Treaſurer to cauſe Payments to be entered in a Book, which His Majeſty's Treaſury are to inſpect.

III. And be it further enacted, That ſuch Treaſurer or principal Officer or Officers for the Time being, ſhall, within Fourteen Days after the Expiration of every Quarter of a Year, cauſe to be prepared and made out a juſt and exact Account of all the Expences incurred within the preceding Quarter of a Year, and every ſuch Account ſhall contain and ſet forth the ſeveral Sums paid, and the ſeveral Demands made, and then outſtanding, on Account of the Expences of each Department within the ſaid Quarter; and the ſaid Treaſurer or principal Officer or Officers ſhall, and he or they is and are hereby required to examine and audit the ſaid Accounts, with the Vouchers relative to the ſame, and to ſign his or their Approbation of the ſame, or of ſuch Part or Parts thereof as he or they ſhall approve; provided that the Amount thereof

Treaſurer to cauſe Account of Expences to be made out Quarterly, which he is to examine and ſign.

ſhall not be diſproportionate to or exceed the reſpective Plans and Eſtimates as herein before is directed.

Treaſurer, by Warrant, may pay the Sums ſpecified in Quarterly Accounts.

IV. And be it further enacted, That, upon the Settlement of ſuch Quarterly Account as aforeſaid, it ſhall be lawful for the ſaid Treaſurer or principal Officer or Officers being thereunto authorized by Warrant or Warrants under the Privy Seal of ſuch Heir Apparent, to pay, in the Order and Courſe ſettled as aforeſaid, the Sums of Money ſpecified in ſuch Accounts, as the Quarterly Expence incurred as aforeſaid, to the reſpective Perſons to whom ſuch Heir Apparent ſhall be debited in ſuch Account, and the ſaid Treaſurer or principal Officer or Officers ſhall pay the ſame accordingly.

How Arrears at the End of Quarters ſhall be diſcharged.

V. And be it further enacted, That if any Deficiency ſhall ariſe in the Revenues of ſuch Heir Apparent at the End of any Quarter of a Year, ſo as to create an Arrear in the Payment of any Claims made againſt ſuch Heir Apparent, and allowed as aforeſaid, ſuch Arrears ſhall be carried to the Account of the next Quarter, and (except in the caſe where any Arrears of a preceding Quarter ſhall likewiſe be carried to the ſame Account) ſhall be placed therein Firſt in Order of Payment, and ſhall be paid Firſt in Order, out of the Firſt Monies payable on Account of the next ſucceeding Quarter: Provided always, that no Arrear of any of the Salaries or Allowances made or to be made by ſuch Heir Apparent, to any Officer or Officers whoſe Duty it may be to carry this Act into Execution, or who may be concerned in the Execution of the ſame, ſhall be carried on beyond the Term of One Quarter after the Quarter in which the ſame ſhall have become due; and that no Arrears of any Sort ſhall, on any Account, or under any Pretence, be carried on for more than Two Quarters of a Year after the Quarter when the ſame ſhall accrue due; and that if it ſhall happen that any Arrears ſhall have been carried on for Two Quarters of a Year, the ſame ſhall be diſcharged and paid out of the Sum due and payable in the Quarter to which ſuch Arrear ſhall be carried, in Preference to the Arrear of the preceding Quarter, and in Preference to all Demands that ſhall accrue in the Quarter to which ſuch Arrear ſhall be ſo carried; and it ſhall not be lawful for any Officer or Officers of ſuch Heir Apparent to audit, allow, or ſettle, any Account for the Quarter to which ſuch Arrears of Two Quarters ſhall be carried, or to iſſue any Sum or Sums of Money for the Payment or Satisfaction of the Claims of the Quarter to which ſuch Arrear ſhall be carried, until the ſaid Arrears ſhall be fully paid and ſatisfied: Provided alſo, that in caſe at the End of any Quarter there ſhall be carried to the Account of the ſame the Arrears of Two Quarters preceding, the Arrears of the Quarter immediately preceding ſhall be placed Second in the Order of Payment, and ſhall be paid Second in Order next and immediately after the Payment of the Arrears of the Quarter next but One preceding.

Surplus at the End of Quarters to be paid the Heir Apparent.

VI. And be it further enacted, That if at the End of any Quarter of a Year any Surplus ſhall remain of the ſaid Revenue, after paying and ſatisfying all Debts and Demands accrued during ſuch Quarter, and all Arrears of former Quarters in each Department, ſuch Surplus ſhall and may be paid over to the Privy Purſe of ſuch Heir Apparent.

Demands which shall accrue after the First Quarterly Day of Payment, to be delivered within 10 Days after the Expiration of the Quarter in which they accrued.

No Demand to be included in Account but what has accrued within the Quarter preceding the Audit, nor any paid.

VII. And be it further enacted, That every Creditor of such Heir Apparent, whose Demand shall accrue after the First Quarterly Day for the Payment of the said Revenue, shall deliver into the Office of the Treasurer, or principal Officer or Officers of such Heir Apparent for the Time being, a Particular in Writing, containing the Nature and Amount of such Demand, and signed by him or her within Ten Days after the Expiration of the Quarter of a Year in which such Demand shall accrue, in order that the same may be included in the preceding Quarterly Account, to be audited as aforesaid; and it shall not be lawful for such Treasurer, or principal Officer or Officers, to include in any such Account, to be audited as aforesaid, or to allow any Debt or Demand of what Nature or Kind soever, which shall not have wholly accrued within the Quarter of a Year preceding such Audit, other than the Arrears of such preceding Quarters as aforesaid, or which shall not be presented to such proper Officer within the Time herein-before limited, and according to the Directions of this Act; nor shall such Treasurer or principal Officer or Officers, under any Pretence or Colour of Authority whatever, issue, or cause to be issued, any Sum of Money for the Purpose of paying, satisfying, or discharging, any Debt or Demand, or any Part thereof, which shall not have accrued and be claimed as aforesaid;

Demands not delivered in limited Time, to be barred, and Securities for such Debts void.

and if any Person or Persons, who shall have, or claim to have, any Debt or Demand against such Heir Apparent, on any Account whatever, shall not, after the First Quarterly Day for the Payment of such Revenue, deliver a Particular in Writing of the said Debt or Demand, to such proper Officer within Ten Days after the Expiration of the Quarter of a Year in which such Debt or Demand was incurred, every such Debt or Demand shall be barred both at Law and in Equity; and all Bonds, Bills, Notes, or other Securities for Money, given or made in Consideration of any Debt or Demand, whereof the Particulars, in Writing, shall not be delivered according to the Directions of this Act, shall be null and void to all Intents and Purposes;

Officer neglecting to insert Demands in Quarterly Accounts, liable to Payment of them.

and that if any Officer of, or Person employed by, such Heir Apparent, to whom the Particulars of such Debts or Demands shall be delivered, according to the Directions of this Act, shall neglect or refuse to insert the same in his Account of the Quarterly Expences incurred in the Manner before directed, every such Officer shall be liable to pay the Amount thereof in Damages to the Party grieved.

No Action to be brought against Heir Apparent for any Debt which shall accrue after the First Quarterly Day of Payment.

VIII. And be it further enacted, That no Action or Suit, either at Law or in Equity, shall be brought, commenced, or prosecuted, by any Creditor against such Heir Apparent in his own Name, as a Party for the Recovery of any Debt or Demand whatsoever due, or claimed to be due, from such Heir Apparent, which shall accrue after the said First Quarterly Day for the Payment of such Revenue, nor upon any Bond, Bill, or Note, nor upon any Security given for the securing any Debt or Demand due from such Heir Apparent, but that all Proceedings in any such Action or Suit shall be null and void to all Intents and Purposes.

For Demands delivered in Time limited, Creditors may sue within Three Months after Delivery.

IX. And, in order that due Provision may be made for the Recovery of the just Debts of such Heir Apparent, be it further enacted, That in all Cases where a Demand shall be made, or a Debt shall be claimed, which Demand or Debt shall have wholly accrued after the said First

Quarterly Day for the Payment of ſuch Revenue, and within the Quarter preceding ſuch Claim or Demand, and the Particulars thereof ſhall have been delivered to ſuch proper Officer within the Time herein-before limited, and the ſame ſhall not be paid, it ſhall be lawful for the Creditor or Creditors, at any Time within Three Calendar Months after Delivery of ſuch Particulars, but not afterwards, to ſue and proſecute for the Recovery of ſuch Debt or Demand, in which Action or Suit the Treaſurer or other principal Officer or Officers of ſuch Heir Apparent, to whom the Particulars of the Demand ſhall have been delivered, ſhall be made Defendant, and the like Proceedings ſhall be had in ſuch Action or Suit as if the Treaſurer or other principal Officer or Officers for the Time being were the real Party therein, ſave and except that notwithſtanding the Plaintiff may obtain Judgement, no Execution ſhall iſſue againſt the Perſon of the Treaſurer or other principal Officer or Officers for the Time being, nor againſt his or their proper Effects, but the Judgement ſhall be a Charge upon the Funds of ſuch Heir Apparent which ſhall be in, or come into, the Hands of ſuch Treaſurer or other principal Officer or Officers within Two Quarters after the Quarter in which the Debt or Debts for which ſuch Action ſhall have been brought, and Judgement obtained, ſhall have accrued; and ſuch Funds, whenever the ſame ſhall be in the Hands of ſuch Treaſurer, or other principal Officer or Officers, ſhall be liable to the Payment of the Debt or Damages, and Coſts, recovered in ſuch Action or Suit, in Preference to all Debts and Demands, except ſuch as ſhall have ariſen in conſequence of any prior Judgement, which ſhall have been obtained as is herein-before directed; and a Note or Docket of every Judgement ſo obtained as aforeſaid ſhall be entered by the Creditor obtaining the ſaid Judgement in the Office of the Treaſurer or other principal Officer or Officers of ſuch Heir Apparent within Ten Days after ſigning the ſame, in order to entitle him to the Benefit of this Act.

Treaſurer to be made Defendant.

Judgement to be a Charge upon the Heir Apparent's Funds, &c.

X. And be it further enacted, That if any Officer of the Eſtabliſhment of ſuch Heir Apparent, or other Perſon intruſted with the Management of ſuch Revenues, ſhall neglect or refuſe to prepare, make up, or tranſmit, any Account or Accounts, or to audit and inveſtigate the ſame, or to pay and apply the Monies in his Hands for that Purpoſe in the Order and Courſe to be ſettled and eſtabliſhed by virtue of this Act, or ſhall divert or miſapply the ſame, or any Part thereof, contrary to the Directions of this Act, or ſhall wilfully omit to inſert in his Quarterly Account the Claim or Claims of any Creditor or Creditors delivered within the Time allowed by this Act, or ſhall wilfully prepare, make up, or tranſmit, any falſe Account, every ſuch Officer or other Perſon ſo offending againſt this Act, in any of the Particulars before mentioned, ſhall be liable to pay Damages to the Party grieved; and that all Penalties and Damages incurred by any Perſon or Perſons by virtue of this Act, ſhall and may be ſued for, proſecuted, and recovered, by Action of Debt, or on the Caſe, in any of His Majeſty's Courts at *Weſtminſter*, with full Coſts of Suit, in which no Eſſoin, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed.

Officer neglecting to prepare Accounts, or to apply Monies as ſettled by this Act, or miſapplying Monies, &c. liable to Damages, which may be ſued for in any Court at *Weſtminſter*.

FINIS.