ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

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CAP. LXXVII.

An Act to amend and render more effectual an Act passed in the Forty-second Year of His present Majesty's Reign, for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into one Act. [2d *July* 1805.]

WHEREAS an Act passed in the Forty-second Year of His present Majesty's Reign, intituled, *An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into one Act; and for making further Provisions for the Redemption and Sale thereof; and for removing Doubts respecting the Right of Persons claiming to vote at Elections for Knights of the Shire, and other Members, to serve in Parliament, in respect of Messuages, Lands, or Tenements, the Land Tax upon which shall have been redeemed or purchased:* And whereas it is expedient that the said Act should be amended and rendered more effectual in some Respects, 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 where the Land Tax charged upon the Glebe Lands, Tythes, or other Profits, of any Living, shall have been, or shall be redeemed or purchased by the Patron or Patrons, or any former Incumbent thereof, or by any other Person or Persons, it shall be lawful for the Incumbent for the Time being of such Living,

42 G. 3. c. 116.

Incumbent for the Time being may purchase the Land Tax redeemed for the Benefit of such Living.

Living, to treat and agree for the Purchaſe of an Aſſignment of ſuch Land Tax, for the Benefit of ſuch Living, and for the Purpoſe of raiſing Money to purchaſe ſuch Aſſignment from ſuch Patron or Patrons, or former Incumbent, or other Perſon or Perſons, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, to carry into Execution all and every, or any of the Powers which by the ſaid recited Act are given in order to raiſe Money by Sale, Mortgage, or Grant, for the Redemption of Land Tax, in ſuch and the ſame Manner, and under and ſubject to ſuch and the ſame Rules, Reſtrictions, and Regulations, in all Reſpects as ſuch Incumbent for the Time being might have carried into Execution, the ſame Powers for the Purpoſe of redeeming ſuch Land Tax, in the firſt Inſtance, and the Land Tax ſo aſſigned ſhall forthwith become merged and extinguiſhed for the Benefit of ſuch Living: Provided always, that the Monies to ariſe from any ſuch Sale, Mortgage, or Grant, ſhall not be paid into the Bank of *England*, or to any Receiver General or Collector, but the ſame, or ſo much thereof as ſhall be requiſite, ſhall, under the Order of any Two of the Commiſſioners appointed, or to be appointed, for the Purpoſes of the ſaid recited Act, under the Great Seal, be paid to the Perſon or Perſons aſſigning ſuch Land Tax, whoſe Receipt or Receipts, in purſuance of ſuch Order, ſhall effectually diſcharge the reſpective Purchaſers or Mortgagees; and the Remainder of ſuch Monies, in caſe any ſuch ſhall be, after Payment of the Coſts and Expences which ſhall have been incurred on account of ſuch Sale, Mortgage, or Grant and Aſſignment, and have been allowed by the ſaid Commiſſioners, ſhall, in purſuance of the like Order, be paid into the Bank of *England*, or to the Receiver General or Collector, as the Caſe may require, and be applied in like Manner as in the ſaid recited Act is directed in the Caſe of Monies ariſing from Sales, Mortgages, or Grants, made for the Purpoſe of purchaſing Aſſignments of Land Tax, under the ſaid Act: Provided alſo, that no ſuch Aſſignment of Land Tax, or any ſuch Deed of Sale, Mortgage, or Grant, in purſuance of this Act, ſhall be liable to any Stamp Duty whatever.

Application of Money ariſing by ſuch Sale.

Aſſignments not liable to Stamp Duty.

II. And be it further enacted, That no Dividends ſhall be iſſued at the Bank of *England* to any Bodies Politick or Corporate, or Companies or Feoffees, or Truſtees for charitable or other publick Purpoſes, in reſpect of any Bank Annuities, which ſhall have been purchaſed with any Monies which have ariſen, or ſhall ariſe, from the Sale, Mortgage, or Grant of any Manors, Meſſuages, Lands, Tenements, or Hereditaments, belonging to any ſuch Bodies Politick or Corporate, or Companies or Feoffees, or Truſtees for charitable or other publick Purpoſes, for the Redemption of Land Tax, unleſs and until the Bodies Politick or Corporate, or Companies, or Feoffees, or Truſtees for charitable or other publick Purpoſes, applying for ſuch Dividends, ſhall have obtained and ſhall produce to the Caſhier of the Bank of *England*, a Certificate, under the Hands of any Two of the ſaid Commiſſioners appointed, or to be appointed, under the Great Seal, certifying that it hath appeared to them, by the Production of the Contract for the Redemption of the Land Tax, or by the Affidavit of the Agent, or ſome other Perſon acting in Behalf of ſuch Bodies Politick or Corporate, or Companies, or Feoffees, or Truſtees for charitable or other publick Purpoſes, that they have redeemed, or are proceeding, or intend *bonâ fide*, and with reaſonable Diligence, to redeem the Land Tax charged on their Manors, Meſſuages, Lands, Tenements, or Hereditaments,

Conditions on which Dividends ſhall be iſſued to Bodies Politick, *etc.* in reſpect of Bank Annuities purchaſed with Money ariſing from the Sale of Premiſes, for the Redemption of the Land Tax.

Hereditaments, or ſo much and ſuch Part of the ſaid Land Tax, as it had been propoſed to redeem by the Monies ariſing from the Sale, Mortgage, or Grant, which by the ſaid Commiſſioners, or any Two of them, had been authorized to be made for that Purpoſe.

Clerks to the Commiſſioners of Land Tax ſhall tranſmit to the Commiſſioners appointed to act in the Execution of the recited Act, a Certificate, that no Alteration has been made in the Aſſeſſment of the Land Tax of the preceding Year; and the ſaid Commiſſioners ſhall not contract with any Perſon applying for Redemption of the Land Tax, till ſuch Certificate be produced.

III. And be it further enacted, That after the paſſing of this Act, the Clerks to the Commiſſioners of Land Tax, acting in and for the ſeveral Hundreds, Wards, Laths, Wapentakes, or other Diviſions in *England*, and the Clerks to the Commiſſioners of Supply of the ſeveral Counties, Stewartries, Cities, or Burghs, in *Scotland*, ſhall, and they are hereby required, in all Caſes where no Alteration ſhall have been made in the Aſſeſſment of Land Tax for the preceding Year, within Six Days after the Appeal againſt any ſuch Aſſeſſment ſhall have been determined, in caſe any Appeal ſhall be made, or in caſe no Appeal ſhall be made againſt ſuch Aſſeſſment, then within Six Days after the Expiration of the Time fixed for hearing Appeals, to tranſmit to the Commiſſioners appointed, or to be appointed, by His Majeſty's Royal Sign Manual, to act in the Execution of the ſaid recited Act, for the County, Stewartry, Riding, or Place, a Certificate, ſigned by any Two or more of the ſaid Commiſſioners of Land Tax, or Supply, that no Alteration hath been made in the Aſſeſſment of Land Tax of the preceding Year, and it ſhall not be lawful for the ſaid Commiſſioners acting in the Execution of the ſaid recited Acts, at any Time after the Twenty-fifth Day of *March* in every Year, and before the Receipt of ſuch Certificate as aforeſaid, or before the Receipt of the Copy of any altered Aſſeſſment of Land Tax, by the ſaid recited Act required to be tranſmitted to the ſaid Commiſſioners, to contract and agree with any Bodies Politick or Corporate, or Companies, or other Perſon or Perſons applying to redeem any Land Tax, compriſed in any ſuch Aſſeſſment, unleſs a Certificate to the Amount of ſuch Land Tax, ſigned by Two of the ſaid Commiſſioners of Land Tax, or Supply, ſhall be produced and ſhewn to them, by or on the Behalf of the Bodies or Perſons ſo applying to redeem ſuch Land Tax, and in caſe the ſaid Clerk to the Commiſſioners of Land Tax, or Supply, ſhall refuſe or neglect to tranſmit ſuch Certificate within the Period aforeſaid, he ſhall, for every ſuch Refuſal or Neglect, forfeit the Sum of Fifty Pounds, to be recovered in like Manner as any Penalty may by the ſaid recited Act be recovered.

Time given for Inrolment of Deeds.

IV. And whereas it is expedient to make Proviſion for the Enrolment and Regiſtry of Deeds, which have not been duly enrolled or regiſtered purſuant to the Directions of the ſaid recited Act, and of the ſeveral other Acts paſſed relating to the Redemption of Land Tax; be it therefore further enacted, That all Deeds required by the ſaid recited Act, or any other Acts, relating to the Redemption of Land Tax, to be enrolled or regiſtered, ſhall be valid and effectual, although the ſame ſhall not have been or ſhall not be enrolled or regiſtered within the Periods preſcribed by the ſaid Acts reſpectively, provided the ſame ſhall have been enrolled or regiſtered before the paſſing of this Act, or ſhall be enrolled or regiſtered within Six Calendar Months after the paſſing thereof.

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