ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

****

Cap. 2.

An Act to indemnify all Perſons employed in the Diſpoſal of Coals in the Coal Market in the City of *London*, who have incurred Penalties under certain Proviſions of an Act, made in the Forty-third Year of His preſent Majeſty, for eſtabliſhing a free Market in the City of *London* for the Sale of Coals, and for preventing Frauds and Impoſitions in the Vend and Delivery of all Coals brought into the Port of *London*, within certain Places therein mentioned.

[22d *February* 1805.]

WHEREAS by an Act, made in the Forty-third Year of the Reign of His preſent Majeſty, intituled, *An Act for eſtabliſhing a free Market in the City of* London *for the Sale of Coals, and for preventing Frauds and Impoſitions in the Vend and Delivery of all Coals brought into the Port of* London, *within certain Places therein mentioned*, ſo much of an Act made in the Third Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of the Coal Trade*, as directs that all Bargains or Contracts for Coals between Buyer and Seller at the Market of *Billingsgate*, or other Place of Sale, within the Bills of Mortality, ſhould, by the Crimp or Factor who has the Diſpoſal of ſuch Coals, be fairly entered, with the Conditions thereof, in the Pocket or other Book of ſuch Crimp or Factor, ſubſcribed by the ſaid Seller and Buyer, and witneſſed by the ſaid Crimp or Factor, was and is thereby repealed: And whereas by the ſaid Act made in the Forty-third Year of the Reign of His preſent Majeſty, it was among other Things 43 G. 3.

enacted, That, from and after the eſtabliſhing the ſaid Market, all Bargains and Contracts for Coals between Buyer and Seller, ſhould, by the Crimp, Factor, or other Perſon having the Diſpoſal of ſuch Coals (in caſe any ſuch Crimp, Factor, or other Perſon, ſhould be employed for the Diſpoſal of ſuch Coals) be fairly entered, with the Conditions thereof, and Price of ſuch Coals, in a Book to be kept by ſuch Crimp or Factor, or other Perſon as aforeſaid, ſubſcribed by ſuch Buyer, and by the ſaid Crimp or Factor, or other Perſon as aforeſaid, not merely with the Initials of their Names, but with their Names written at full Length; and if any Crimp or Factor, or other Perſon having the Diſpoſal of ſuch Coals as aforeſaid, ſhould neglect or refuſe to enter ſuch Bargain or Contract, or the Price of ſuch Coals fairly, accurately, and honeſtly, without Fraud or Covin, or to ſubſcribe the ſame, then and in ſuch Caſe every ſuch Perſon ſo offending ſhould, for every ſuch Offence, forfeit and pay the Sum of One hundred Pounds: And whereas the ſaid free Market was duly eſtabliſhed on the Second Day of *January* One thouſand eight hundred and five, and ſince the Eſtabliſhment thereof certain Crimps or Factors, and other Perſons, having the Diſpoſal of Coals, have, from Ignorance of the Law and from Inadvertency, continued in the Practice of ſubſcribing Bargains or Contracts for Coals in Manner directed by the ſaid recited Act, made in the Third Year of the Reign of His late Majeſty King *George* the Second, and have, without any Intention of Fraud or Deceit, in divers Inſtances made and entered Bargains or Contracts for Coals, ſubſcribed not with the Names of the Buyer and of the Crimp or Factor, or other Perſon having the Diſpoſal of ſuch Coals, written at full Length, but with Initials, Abbreviations, or other Omiſſions in the Signatures or Subſcriptions, contrary to the true Intent and Meaning of the ſaid recited Proviſions in the ſaid recited Act made in the Forty-third Year of the Reign of His preſent Majeſty, whereby they have or may have incurred divers large Penalties, the Recovery of which by Actions brought, or which may be brought and proſecuted, might be attended with the Ruin of the Defendants in ſuch Actions: May it therefore 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 all and every Perſon and Perſons againſt whom any Action of Debt, Bill, Plaint, or Information, hath been brought, or ſhall or may be brought, in any of His Majeſty's Courts of Record at *Weſtminſter*, for any Penalty or Penalties incurred between the Firſt and Thirty-firſt Days of *January* One thouſand eight hundred and five, by reaſon of the ſaid recited Proviſions contained in the ſaid recited Act made in the Forty-third Year of the Reign of His preſent Majeſty, or by reaſon of any Neglect or Breach of any of ſuch ſaid Proviſions, ſhall be and ſuch Perſon and Perſons is and are hereby indemnified, freed, and diſcharged, of, from, and againſt all Penalties and Forfeitures incurred between the ſaid Firſt and Thirty-firſt Days of *January* One thouſand eight hundred and five, by reaſon of the ſaid recited Proviſions of the ſaid recited Act made in the Forty-third Year of the Reign of His preſent Majeſty, or of any Neglect or Breach of the ſaid Proviſions; any Thing in the ſaid recited Act made in the Forty-third Year of the Reign of His preſent Majeſty to the contrary thereof in anywiſe notwithſtanding.

For indemnifying Crimps and Factors from Actions, for Offences committed within certain Periods.

II. Provided always, and be it enacted, That all Coſts, incurred in proſecuting and carrying on any ſuch Action of Debt, Bill, Plaint, or Information,

Defendants to pay Coſts of Actions brought before

mation, ſhall be borne and diſcharged by the Perſon or Perſons againſt whom any ſuch Action of Debt, Bill, Plaint, or Information, may have been brought at any Time before the paſſing of this Act: Provided alſo, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend to indemnify any Perſon againſt whom final Judgement ſhall have been given at any Time before the paſſing of this Act, in any Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, for any Penalty or Forfeiture incurred by reaſon of the ſaid Proviſions of the ſaid recited Act made in the Forty-third Year of the Reign of His preſent Majeſty, or of any Neglect or Breach of any of the ſaid Proviſions.

the paſſing of this Act:

But not to be indemnified from Penalties, in which final Judgement has been given.

III. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without being ſpecially pleaded.

Declaring the Act publick.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's moſt Excellent Majeſty. 1805.