ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

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C A P. CXX.

An Act for the Abolition of the Duties payable on the Coinage of Tin in the Counties of *Cornwall* and *Devon*, and for giving Compensation in lieu of such Duties, and to reduce the Duties of Customs payable on Tin. [16th *August* 1838.]

WHEREAS, by the Laws, Usages, and Customs of the Counties of *Cornwall* and *Devon*, all Tin dug, raised, and taken therein respectively is required to be coined, and certain Duties are payable for the Coinage thereof: And whereas by Charter made and passed in the Eleventh Year of the Reign of His Majesty King *Edward* the Third, and duly confirmed by Parliament, the said Coinage Duties, together with certain other Possessions, were thereby granted to the then Duke of *Cornwall*, and to the first-begotten Son of him and his Heirs (Kings of *England*), being Dukes of *Cornwall* and Heirs Apparent to the Kingdom of *England*, and the same were thereby annexed and united to the Duchy of *Cornwall* for ever to remain so that from the said Duchy they should at no Time be in anywise severed, so that when the Duke of *Cornwall* for the Time being should depart this Life, and a Son to whom the said Duchy was thereby appointed should not appear, the said Duchy should revert to and be retained in the Hands of the King of *England* for the Time being, until such Son, being Heir Apparent, should appear:

And whereas such Duties on the Coinage of Tin in the said Counties of *Cornwall* and *Devon* are now payable to Her Majesty in right of Her Duchy of *Cornwall*: And whereas it is expedient and for the Benefit of Trade that it should not be necessary that any Tin so dug, raised, or taken should hereafter be coined, and that all Duties so as aforesaid payable on the Coinage thereof should cease, and that Compensation in lieu thereof should be given to Her Majesty or other the Personage for the Time being entitled to the Revenues of the Duchy of *Cornwall*: 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 from and after the Tenth Day of *October* next ensuing the passing of this Act it shall not be necessary to coin any Tin dug, raised, or taken in the said Counties of *Cornwall* and *Devon*, or in either of them, and that the Duties which would but for this Act be payable on the Coinage of Tin after that Time shall cease and determine.

Duties on Coinage of Tin abolished.

II. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury and they are hereby required to ascertain the Amount of the clear annual Payments during the last Ten Years in respect of such Coinage Duties in the said Counties of *Devon* and *Cornwall*, after deducting therefrom all Costs, Charges, and Expences to Officers and others during such Period incurred in and incident to the ascertaining, managing, and collecting of such Coinage Duties.

Treasury to ascertain Average Amount of Duty.

III. And be it enacted, That in lieu of such Coinage Duties an Annuity or yearly Sum equal to the Amount which shall be so ascertained to have been the Average of such Payments shall be issued out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon or payable out of the said Fund), and be payable, free and clear from all Deductions and Taxes whatsoever, quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, by equal Portions, and be accordingly paid to Her Majesty and other the Personage for the Time being entitled to the Revenues of the said Duchy of *Cornwall*.

Annual Sum to be paid to Her Majesty in lieu of Coinage Duties.

IV. And be it enacted, That the Acquittances or Acquittance, Receipts or Receipt, of the Receiver General for the Time being of the said Duchy of *Cornwall*, shall be a good and sufficient Discharge for the Payment of the said Annuity.

Receipt of Receiver General to be a sufficient Discharge.

V. And be it enacted, and it is hereby declared to be the true Intent and Meaning hereof, That Her Majesty and other the Personage for the Time being entitled to the Revenues of the said Duchy of *Cornwall* shall have such and the like, and no larger or other, Estate or Title, or Power of Disposition or Alienation, or Interest, of and in

Her Majesty's Interest in the Annuity to be the same as in the Coinage Duties.

the said Annuity, as Her Majesty or other the Personage for the Time being entitled to the Revenues of the said Duchy of *Cornwall* would have had in the said Coinage Duties, and that the said Annuity shall from Time to Time belong to Her Majesty and such other Personage as would have been entitled to the said Coinage Duties in case this Act had not been passed.

Compensation to Officers in relation to Coinage Duties.

VI. And whereas it is only just and reasonable that Provision should be made for granting Compensation upon equitable Principles to such Officers and others as have heretofore been employed in the ascertaining, managing, and collecting such Coinage Duties, and in relation thereto, and whose Emoluments will be affected hereby; be it enacted, That the Commissioners of Her Majesty's Treasury shall ascertain, by such Ways and Means as to them shall seem proper, the net annual Receipts of each and every of such Officers and others whose Emoluments shall be affected by the Operation of this Act, and shall grant such Compensation to all such Parties, either by One Payment in gross, or by an annual Amount payable quarterly, as, having regard to the Tenure of their several Offices and Employments, and to the Duration of their Service, shall appear to the said Commissioners of Her Majesty's Treasury to be just and proper: Provided always, that all such Compensations shall be payable and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Certain Returns to be laid before Parliament.

VII. And be it enacted, That a Return of the Amount of the Compensation ascertained to be due and payable on account of the Repeal of the said Coinage Duties on Tin, together with a Statement of all such Compensations as shall be granted to the Officers and others whose Emoluments shall be affected by the Operation of this Act, and also a Return of the gross annual Payments during each of the said Ten Years in respect of such Coinage Duties, and also a Return of all the Costs, Charges, and Expences to Officers and others during such Period, incurred in and incident to the ascertaining, managing, and collecting of such Coinage Duties, shall be laid before both Houses of Parliament within Thirty Days after the Commencement of the next Session of Parliament.

New Duties of Customs on Tin and Tin Ore.

VIII. And be it enacted, That instead of the Duties of Customs now payable on Tin and on Tin Ore the following Duties shall be raised, levied, collected, and paid unto Her Majesty, in like Manner as if such Duties had been imposed by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting Duties of Customs*; (that is to say,)

	£	*s.*	*d.*
Tin, the Hundred Weight - - -	0	15	0
Tin Ore, the Hundred Weight - -	0	10	0

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1838.