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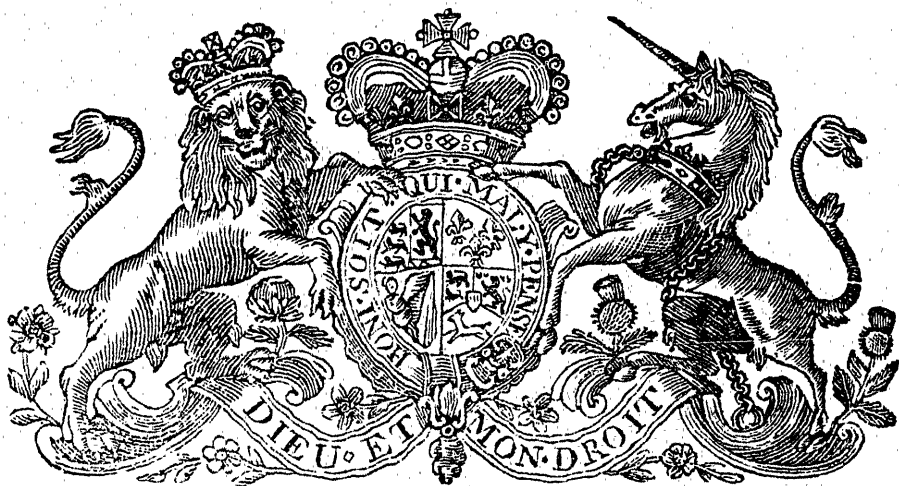
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ANNO REGNI
GEORGGII III.
REGIS

Magnæ Britannie, Franciæ, & Hiberniæ,
VICESIMO SEPTIMO.

At the Parliament begun and holden at *Westminster*, the Eighteenth Day of *May*, *Anno Domini* 1784, in the Twenty-fourth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

And from thence continued, by several Prorogations, to the Twenty-third Day of *January* 1787; being the Fourth Session of the Sixteenth Parliament of *Great Britain*.



L O N D O N :

Printed by CHARLES EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1787.



ANNO VICESIMO SEPTIMO

Georgii III. Regis.



C A P. XXXIX.

An Act for appointing Commissioners further to enquire into the Losses and Services of all such Persons who have suffered in their Rights, Properties, and Professions, during the late unhappy Dissentions in *America*, in Consequence of their Loyalty to His Majesty, and Attachment to the *British* Government.



W H E R E A S by an Act, made in the Preamble.

Twenty-third Year of the Reign of His present Majesty, intituled, An 23 Geo. III, Cap. 80.

Act for appointing Commissioners to enquire into the Losses and Services of all such Persons who have suffered in their Rights, Properties, and Profes-

sions, during the late unhappy Dissentions in *America*, in Consequence of their Loyalty to His Majesty, and Attachment to the *British* Government, and also by Two several Acts, made in the Twenty-fifth and Twenty-sixth Years of the Reign of His present Majesty, certain Persons were constituted Commissioners for enquiring into the respective Losses and Services of all such Person and Persons who have suffered in their Rights, Properties, and Professions, during the late unhappy Dissentions in *America*, in Consequence of their Loyalty to His Ma-

jesty, and Attachment to the British Government: And whereas the Purposes intended by the said Acts are not yet completed, and it is therefore necessary that the said Acts should be further continued; 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 John Wilmot Esquire, Colonel Robert Kingston, Colonel Thomas Dundas, John Marsh Esquire, Jeremy Pemberton Esquire, and Robert Mackenzie Esquire, shall be, and they are hereby constituted Commissioners for the Purposes in the said recited Acts mentioned.

Commission-
ers.

Commission-
ers to be
sworn.

II. And be it further enacted, That any Two of them the said John Wilmot, Colonel Robert Kingston, John Marsh, and Robert Mackenzie, before they enter upon the Execution of this Act, shall take an Oath before the Master of the Rolls for the Time being, or One of His Majesty's Justices of the Court of King's Bench, Common Pleas, or Barons of the Exchequer, (which they or either of them are hereby authorized and required to administer), in the Form following; that is to say,

The Oath.

I *A. B.* do swear, That, according to the best of my Skill and Knowledge, I will faithfully, impartially, and truly execute the several Powers and Trusts vested in me by an Act, intituled, *An Act for appointing Commissioners further to enquire into the Losses and Services, of all such Persons who have suffered in their Rights, Properties, and Professions, during the late unhappy Dissentions in America, in Consequence of their Loyalty to His Majesty, and Attachment to the British Government,* according to the Tenor and Purport of the said Act.

And every other of them the said John Wilmot, Colonel Robert Kingston, John Marsh, and Robert Mackenzie, shall likewise take the same Oath before the said Two Commissioners, who are hereby authorized and required to administer the same, after they shall themselves have taken the said Oath as aforesaid.

III. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Two or more of them, and they are hereby authorized, impowered, and required, to examine upon Oath (which Oath they, or any Two or more of them, are hereby authorized to administer), all Persons whom the said Commissioners, or any Two or more of them, shall think fit to examine, touching all such Matters and Things as shall be necessary for the Execution of the Powers vested in the said Commissioners by this Act; and all such Persons are hereby directed and required punctually to attend the said Commissioners at such Time or Place as they, or any Two or more of them, shall appoint.

Commissioners may examine Parties on Oath.

IV. And be it enacted by the Authority aforesaid, That the said Commissioners, or any Two or more of them, are hereby authorized to meet and sit, from Time to Time, at their present Place of Meeting, or at such other Place as they, or any Two or more of them, shall think proper, with or without Adjournment, and to send their Precept or Precepts, under their Hands and Seals, for any Person or Persons whatsoever, and for such Books, Papers, Writings, or Records, as they shall judge necessary for their Information in the Execution of the Powers vested in the said Commissioners by this Act; and the said Commissioners, or any Two or more of them, are hereby authorized to appoint and employ such Clerks, Messengers, and Officers as they shall think meet, and to give to every of the said Clerks and Officers an Oath for his true and faithful Demeanor, in all Things relating to the due Performance of the Trust reposed in him by the said Commissioners, and in all other Things touching the Premises; which Clerks and Officers are hereby required faithfully to execute and perform the Trust in them severally and respectively reposed, without taking any Thing for such their Service, other than such Salary or Rewards as the said Commissioners, or any Two or more of them, shall think fit to direct and appoint in that Behalf.

Commissioners to meet, and to send for Persons or Papers,

to appoint Clerks, &c.

V. And be it enacted by the Authority aforesaid, That if it shall have appeared to the Commissioners appointed

Persons delivering in fraudulent Claims to be excluded

from any
Compensa-
tion.

by the said recited Acts, or shall hereafter appear to the Commissioners appointed by this Act, that any Person hath delivered, or shall hereafter deliver to them, an Account or Claim beyond the real Loss sustained by him or her, with an Intent to obtain more than a just Compensation; and if the said Commissioners, or any Two or more of them, shall have been or shall hereafter be of Opinion that such Account or Claim was or is fraudulent, then such Person so having claimed, or who shall hereafter so claim, shall be absolutely excluded from any Compensation or Provision whatsoever.

Persons giving
false Evidence
to be liable to
the Penalties
of Perjury.

VI. And be it further enacted by the Authority aforesaid, That in case any Person or Persons, upon Examination upon Oath before the said Commissioners, or any Two or more of them respectively, as before mentioned, shall wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to.

Commission-
ers in the Co-
lonies to con-
tinue to en-
quire into
Claims;

VII. And whereas by the said Act, made in the Twenty-fifth Year of the Reign of His present Majesty, it was enacted, That Colonel Thomas Dundas and Jeremy Pemberton Esquire, should, and they were thereby directed and required to repair to Nova Scotia, or any other of His Majesty's Colonies in America, to enquire into such Claims: And whereas the said Colonel Thomas Dundas and Jeremy Pemberton Esquire, did, in pursuance of the Directions, and for the Purposes mentioned in the said Act, repair to Nova Scotia: And whereas by the said Act, made in the Twenty-sixth Year of His present Majesty, the said Powers and Authorities vested in them the said Colonel Thomas Dundas and Jeremy Pemberton Esquire, were continued to them, and it is proper that the said Powers and Authorities vested in them by the said Act should be further continued; be it therefore enacted, That the said Colonel Thomas Dundas, and Jeremy Pemberton Esquire, shall, and they are hereby directed and required in Nova Scotia, or any other of His Majesty's Colonies

in America, to continue to enquire into such Claims, with the same Powers and Authorities for enquiring into such Claims as the Commissioners appointed by the said recited Acts and this present Act, for enquiring into the Losses and Services of all such Persons who have suffered in their Rights, Properties, and Professions, during the late unhappy Dissentions in America, in Consequence of their Loyalty to His Majesty, and Attachment to the British Government, are invested with; and in case the said Commissioners shall differ in Opinion with respect to any Claim, then, in such Case, it shall be lawful for the said Commissioners to call to their Assistance the Governour of any Colony to which they may judge it necessary to repair; and the said Governour agreeing in Opinion with either of the said Commissioners, shall decide the Matter or Question in Dispute; and in case of the Death of either of them the said Thomas Dundas or Jeremy Pemberton, that then the Governour of the Colony, where such Enquiry shall from Time to Time be carried on, shall be added to and joined with the Survivor of them the said Thomas Dundas and Jeremy Pemberton, and shall be invested with the same Powers and Authorities as the Person so dying is hereby invested with.

and in case of Difference of Opinion, to require the Assistance of the Governour, who, in case of the Death of a Commissioner, is to supply his Place.

VIII. And whereas the said Thomas Dundas and Jeremy Pemberton, by reason of their having repaired to and continued in Nova Scotia, or some other of His Majesty's Colonies in America, as aforesaid, were unable to comply with the Directions of the said Act, made in the Twenty-sixth Year of the Reign of His present Majesty, respecting the Oath to be taken by the said Commissioners before they entered upon the Execution of that Act; and some Time must necessarily elapse after the passing or Commencement of this present Act, before the said Thomas Dundas and Jeremy Pemberton can receive any Notice or Copy thereof, be it further enacted by the Authority aforesaid, That it shall be lawful for them the said Thomas Dundas and Jeremy Pemberton, and they are hereby directed and required, within Six Months after the passing of this present Act, to take an Oath before His Majesty's Governour, Lieutenant

Commissioners in America may, within Six Months after the passing this Act, take an Oath before the Governour, Chief Justice, &c.

which shall
render their
Acts valid.

nant Governour, Chief Justice, or any of His Judges of the Superior Courts, for the Time being, in Nova Scotia, or any other of His Majesty's Colonies, (which hath they, or any of them, are hereby authorized and required to administer), in the like Form as the Oath herein-before directed to be taken by the said John Wilmot, Robert Kingston, John Marsh, and Robert Mackenzie; and that thereupon all such Acts as shall have been done by them the said Thomas Dundas and Jeremy Pemberton for the Purpose of, or towards carrying the said Act of the Twenty-sixth Year of the Reign of His present Majesty, and this present Act, or either of them, into Execution, shall be as valid and effectual, to all Intents and Purposes, as if they the said Thomas Dundas and Jeremy Pemberton had taken the Oath required to be taken by the said Commissioners by the said Act of the Twenty-sixth Year of the Reign of His present Majesty, in such Manner as is therein directed, before they entered upon the Execution of the same, any Thing in the said Act contained to the contrary notwithstanding.

Commissioners may appoint Persons to travel in America to enquire into Facts.

IX. And be it enacted, That the said Commissioners, or any Two of them, are hereby impowered, if they shall think proper, to appoint, under their Hands and Seals, a proper Person or Persons to repair to any Part of the United States of America, to enquire into such Facts and Circumstances as they may think material for the better ascertaining the several Claims which have been presented under the Authority of the said Acts.

Commissioners to enquire into Losses sustained in Consequence of an Act 16 Geo. III, Cap. 5.

X. And whereas an Act was passed in the Sixteenth Year of His present Majesty, intituled, An Act to prohibit all Trade and Intercourse with the Colonies of *New Hampshire, Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania*, the Three Lower Counties on *Delaware, Maryland, Virginia, North Carolina, South Carolina*, and *Georgia*, during the Continuance of the present Rebellion within the said Colonies respectively; for repealing an Act, made in the Fourteenth Year of the Reign of His present Majesty, *to discontinue the Landing and Discharging, lading or shipping, of Goods, Wares, and Merchandize, at the Town and within the Harbour of Boston, in the Province of Massachuset's*

Bay;

Bay; and also Two Acts, made in the last Session of Parliament, for restraining the Trade and Commerce of the Colonies in the said Acts respectively mentioned; and to enable any Person or Persons, appointed and authorised by His Majesty to grant Pardons, to issue Proclamations, in the Cases, and for the Purposes therein mentioned; whereby it was enacted, That all Trade and Commerce should be prohibited with the Colonies therein mentioned, and that all Ships and Vessels of or belonging to the Inhabitants of the said Colonies, together with their Cargoes, Apparel, and Furniture, and all other Ships and Vessels whatsoever, together with their Cargoes, Apparel, and Furniture, which should be found trading in any Port or Place of the said Colonies, or going to trade, or coming from trading in any such Port or Place, should become forfeited to His Majesty, as if the same were the Ships and Effects of open Enemies, and should be so adjudged and taken in all Courts of Admiralty, and in all other Courts whatsoever: And whereas Vessels, Effects, Goods, or Merchandize, belonging to Inhabitants of the said Colonies, who were loyal Subjects to His Majesty, may have become forfeited, and may have been adjudged and condemned as lawful Prize under the said Act; be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners appointed by this Act, to enquire into Losses sustained in Consequence of the said Act, by any such Inhabitants, who have presented or delivered Claims for such Losses to the said Commissioners, or any Two of them, and who shall give sufficient Proof, to the Satisfaction of the said Commissioners, of their Loyalty to His Majesty, and Attachment to the British Government.

XI. And be it further enacted, That the said Commissioners shall, from Time to Time, at their Discretion, or as often as they shall be thereunto required, and as soon as possible after the Determination of their Examinations and Proceedings, by virtue of this Act, without any further Requisition, give an Account of their Proceedings,

Commissioners to give an Account of their Proceedings to the Treasury and Secretaries of State.

in Writing, to the Lords Commissioners of His Majesty's Treasury, and to His Majesty's Principal Secretaries of State for the Time being.

Treasury to pay 4,000 *l.* to the Commissioners;

for paying Clerks, *etc.*

XII. And be it further enacted, That the Lords Commissioners of the Treasury, or Lord High Treasurer for the Time being, are hereby authorized and required to issue and cause to be paid all such Sums of Money, not exceeding Four thousand Pounds, to such Person or Persons as the said Commissioners, or any Two or more of them, shall, by Writing under their Hands, desire or direct, out of any Part of the publick Monies remaining in His Majesty's Exchequer; which Sum so issued and paid, shall be employed for the Payment of Clerks, Messengers, and other Officers, and in defraying all other necessary Charges in or about the Execution of the Powers of this Act, and in such Manner, and in such Proportions, as shall be appointed by the said Commissioners, or any Two or more of them, by Writing under their Hands and Seals in that Behalf, the same to be accounted for by the Person or Persons to whom the same shall be issued and paid, according to the Course of His Majesty's Exchequer, without any Fee or other Charges to be taken or demanded for the issuing and Payment of the same, or on the passing of the said Accounts, other than such Sum as the said Commissioners, or any Two or more of them, shall appoint; and which Money so issued shall not be subject to any Tax, Duty, Rate, or Assessment whatsoever, imposed by Authority of Parliament.

Commissioners may receive Half Pay on taking the following

XIII. Provided always, and be it enacted, That any of the said Commissioners being on Half Pay, as an Officer of the Navy or Army, shall be intitled to receive such Half Pay, notwithstanding any Compensation that may be made to him for executing the Powers of this Act, on his taking the following Oath before the Governor or Lieutenant Governor of any of His Majesty's Colonies or Plantations in America, or before some Justice of the Peace, who is hereby impowered to administer the same:

I *A. B.* do swear, That I had not, between Oath.
 any Place or Employment of Profit, Civil or Military,
 under His Majesty, besides such Compensation as shall have
 been or may be made to me as a Commissioner for enquir-
 ing into the Losses and Services of all such Persons who
 have suffered in their Rights, Properties, and Professions,
 during the late unhappy Dissentions in *America*, in Con-
 sequence of their Loyalty to His Majesty, and Attachment
 to the *British* Government.

And the taking the said Oath shall be sufficient to intitle
 such Person to receive his half Pay, without taking any
 other Oath; any Law, Usage, or Custom, to the con-
 trary thereof notwithstanding.

XIV. And be it further enacted by the Authority afore-
 said, That in case of a Vacancy or Vacancies, by Death
 or Resignation, of any One or more of the said Commis-
 sioners, during the Recess of Parliament, it shall and
 may be lawful for His Majesty to nominate and appoint
 such Person or Persons as he may think proper to supply
 such Vacancy or Vacancies; and that every Person, so
 nominated and appointed, shall be held and considered to
 be invested with all the same Powers as are delegated to
 the Commissioners appointed by this Act.

In case of the
 Death. &c. of
 a Commis-
 sioner during
 the Recess of
 Parliament,
 His Majesty
 may appoint
 another.

XV. And be it further enacted, That this Act shall
 continue in Force for One Year, from the Fifteenth Day
 of July One thousand seven hundred and eighty-seven,
 and no longer.

Continuance
 of this Act.

F I N I S.