

the Sum of three Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity, to be paid by the Importer thereof, before the landing of the same; which said Act, and every Clause, Article, Matter and Thing therein contained, is continued and declared to be in Force, by an Act made in the first Year of his late Majesty King GEORGE, from the thirty-first Day of *May* in the Year of our Lord one thousand seven hundred and fifteen, until the first Day of *August* one thousand seven hundred and fifteen, as fully and effectually, to all Intents and Purposes, as if the same were therein particularly and at large repeated and re-enacted; which said Duty of three Pence a Pound by the aforesaid Act of her late Majesty Queen ANNE, and continued by the aforesaid Act of his late Majesty King GEORGE, was continued by one other Act made in the first Year of his late Majesty King GEORGE, and made payable to his Majesty, his Heirs and Successors for ever: And whereas the Penalty for landing or putting on Shore out of any Ship or Vessel, any imported Hops, before due Entry thereof shall have been made, and the Duty by the aforesaid Acts granted and continued shall have been paid, has been found too small to prevent the clandestine Importation of the same: And whereas by the low Price that Hops have taken and do still bear in foreign Markets, great Quantities of foreign Hops are imported into and vended in *Great Britain*, and brought into and vended in *Ireland*, contrary to Law; For preventing therefore of a Practice so prejudicial to the Hop Planters of this Kingdom, and so detrimental to the Revenue; 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 first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and thirty-four, if any foreign Hops shall be landed or put on Shore out of any Ship or Vessel in *Great Britain*, before due Entry thereof shall be made at the Custom-house in the Port or Place where the same shall be imported, and before the Duties charged or chargeable thereon shall be paid, or without a Warrant for landing or delivering the same first signed by the Commissioners, Collector or other proper Officer or Officers of the Customs respectively; or if any foreign Hops, other than of *British* Growth, shall be landed or put on Shore out of any Ship or Vessel in *Ireland*, all such Hops, of what Kind soever, as shall be so landed or put on Shore, or taken out of any Ship or Vessel in *Great Britain* or *Ireland*, shall be forfeited and burnt within ten Days after the same shall be lawfully condemned, and also the Ship or Vessel forfeited in which the same were imported, and the Person or Persons concerned in importing of the same, or that shall have been aiding and assisting in the landing or putting the same on Shore, shall forfeit and pay the Sum of five Shillings for every Pound Weight thereof; and so in Proportion for any greater or lesser Quantity.

1 Geo. 1. st. 2. c. 2. sect. 17.

1 Geo. 1. st. 2. c. 12. sect. 5.

After 1 May 1734, foreign Hops landed in Great Britain or Ireland, before Entry and Payment of Duties, or signed Warrant,

shall be burnt, the Ship forfeited, and Importer to pay 5 s. for each Pound of such Hops.

5 l. Penalty on every hundred Weight of sophisticated Hops.

II. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons in *Great Britain* or *Ireland* shall, from and after the said first Day of *May* one thousand seven hundred and thirty-four, mix with, or put into any Quantity of Hops any Drug or Ingredient, or other Thing whatsoever, to alter the Colour or Scent thereof, every Person so offending, and being thereof lawfully convicted by the Oath of one or more Witnesses or Witnesses, before one or more Justice or Justices of the Peace of the County or Place where the Offence shall be committed, shall for every such Offence forfeit and pay the Sum of five Pounds for every hundred Weight thereof.

III. And be it further enacted by the Authority aforesaid, That the several Fines, Penalties and Forfeitures, as well specifick as pecuniary, by this Act imposed (the suing for, levying and recovering of which are not hereby before particularly provided for) shall and may be sued for, levied and recovered, or mitigated, in *Great Britain* or *Ireland* respectively, by such Ways, Means and Methods, as any Fine, Penalty and Forfeiture may be sued for, levied, recovered, or mitigated, by the Laws now in Force relating to Hops; and that one Moiety of every such Fine, Penalty and Forfeiture shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them that will discover, inform or sue for the same.

Penalties how to be levied.

C A P. XX.

An Act for the more easy Redemption and Foreclosure of Mortgages.

WHEREAS Mortgagees frequently bring Actions of Ejectment for the Recovery of Lands and Estates to them mortgaged, and bring Actions on Bonds given by Mortgagors to pay the Money secured by such Mortgages, and for performing the Covenants therein contained, and likewise commence Suits in his Majesty's Courts of Equity, to foreclose their Mortgagors from redeeming their Estates; and the Courts of Law, where such Ejectments are brought, have not Power to compel such Mortgagees to accept the principal Monies and Interests due on such Mortgages, and Costs, or to stay such Mortgagees from proceeding to Judgment and Execution in such Actions; but such Mortgagors must have Recourse to a Court of Equity for that Purpose; in which Case likewise the Courts of Equity do not give Relief until the Hearing of the Cause: For Remedy thereof, and to obviate all Objections relating to the same; 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 first Day of *Easter* Term one thousand seven hundred and thirty-four, where any Action shall be brought on any Bond for Payment of the Money secured by such Mortgage, or Performance of the Covenants therein contained, or where any Action of Ejectment shall be brought in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Great Sessions in *Wales*, or in any of the superior Courts in the Counties Palatine of *Chester*, *Lancaster* or *Durham*, by any Mortgagee or Mortgagees, his, her or their Heirs, Executors, Administrators or Assigns, for the Recovery of the Possession of any mortgaged Lands, Tenements or Hereditaments,

4 & 5 W. & M. c. 16.

After the first Day of Easter Term 1734, in Actions concerning Mortgages or Ejectments,

no Suit being then depending to foreclose such Mortgage.

The Mortgagor's rendering the Principal, Interest, and Costs in Court shall be deemed a full Satisfaction, and the Court may compel the Mortgagee to surrender the Premises.

On Bills to foreclose,

the Court, on Defendant's Request, may proceed to a Decree, before a regular Hearing, and all Parties shall be bound thereby, as if the Cause had been regularly heard.

This Act not to extend to Cases where the Right of Redemption is controverted, or the Money due not adjusted,

or to prejudice any subsequent Mortgage.

3 Ed. 1. c. 9.
13 Ed. 1. st. 2.
c. 1, 2, 4 & 6.
28 Ed. 1. c. 17.
5 Ed. 3. c. 14.
7 R. 2. c. 6.
27 El. c. 13.
39 El. c. 25.
4 W & M. c. 8.
4 Geo. 1. c. 11.
6 Geo. 1. c. 23.
After 1 May 1734, Persons convicted of assaulting others with offensive Weapons, and a Design to rob, shall be transported for 7 Years.

Hereditaments, and no Suit shall be then depending in any of his Majesty's Courts of Equity, in that Part of Great Britain called England, for or touching the foreclosing or redeeming of such mortgaged Lands, Tenements or Hereditaments; if the Person or Persons having Right to redeem such mortgaged Lands, Tenements or Hereditaments, and who shall appear and become Defendant or Defendants in such Action, shall at any Time, pending such Action, pay unto such Mortgagee or Mortgagees, or, in case of his, her or their Refusal, shall bring into Court, where such Action shall be depending, all the Principal Monies and Interest due on such Mortgage, and also all such Costs as have been expended in any Suit or Suits at Law or in Equity upon such Mortgage (such Money for Principal, Interest, and Costs to be ascertained and computed by the Court where such Action is or shall be depending, or by the proper Officer by such Court to be appointed for that Purpose) the Monies so paid to such Mortgagee or Mortgagees, or brought into such Court, shall be deemed and taken to be in full Satisfaction and Discharge of such Mortgage, and the Court shall and may discharge every such Mortgagor, or Defendant, of and from the same accordingly; and shall and may, by Rule or Rules of the same Court, compel such Mortgagee or Mortgagees, at the Costs and Charges of such Mortgagor or Mortgagors, to assign, surrender, or re-convey such mortgaged Lands, Tenements, and Hereditaments, and such Estate and Interest, as such Mortgagee or Mortgagees have or hath therein, and deliver up all Deeds, Evidences, and Writings, in his, her or their Custody, relating to the Title of such mortgaged Lands, Tenements, and Hereditaments, unto such Mortgagor or Mortgagors, who shall have paid or brought such Monies into the Court, his, her or their Heirs, Executors, or Administrators, or to such other Person or Persons, as he, she or they, shall for that Purpose nominate or appoint.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of Easter Term, one thousand seven hundred and thirty-four, where any Bill or Bills, Suit or Suits, shall be filed, commenced or brought in any of His Majesty's Courts of Equity, in that Part of Great Britain called England, by any Person or Persons having or claiming any Estate, Right, or Interest, in any Lands, Tenements or Hereditaments, under or by virtue of any Mortgage or Mortgages thereof, to compel the Defendant or Defendants in such Suit or Suits (having or claiming a Right to redeem the same) to pay the Plaintiff or Plaintiffs in such Suit or Suits, the Principal Money and Interest due on any such Mortgage, or the Principal Money and Interest due on such Mortgage, together with any Sum or Sums of Money due on any Incumbrance or Specialty, charged or chargeable on the Equity of Redemption thereof, and in Default of Payment thereof, to foreclose such Defendant or Defendants of his, her or their Right or Equity of redeeming such mortgaged Lands, Tenements, or Hereditaments; such Court and Courts of Equity, where such Suit or Suits shall be depending, upon Application made to such Court by the Defendant or Defendants in such Suit, having a Right to redeem such mortgaged Lands, Tenements or Hereditaments, and upon his or their admitting the Right and Title of the Plaintiff or Plaintiffs in such Suit, may and shall at any Time or Times, before such Suit or Cause shall be brought to Hearing, make such Order or Decree therein, as such Court or Courts might or could have made therein, in case such Suit or Cause had then been regularly brought to Hearing before such Court or Courts; and all Parties to such Suit or Suits shall be bound by such Order or Decree so made, to all Intents and Purposes, as if such Order or Decree had been made by such Court, at or subsequent to the Hearing of such Cause or Suit; any Usage to the contrary thereof in any wise notwithstanding.

III. Provided always, That this Act, or any Thing herein contained, shall not extend to any Case where the Person or Persons, against whom the Redemption is or shall be prayed, shall (by Writing under his, her or their Hands, or the Hand of his, her or their Attorney, Agent or Solicitor, to be delivered before the Money shall be brought into such Court at Law, to the Attorney or Solicitor for the other Side) insist, either that the Party praying a Redemption has not a Right to redeem, or that the Premises are chargeable with other or different principal Sums, than what appear on the Face of the Mortgage, or shall be admitted on the other Side; nor to any Case where the Right of Redemption to the mortgaged Lands and Premises in Question in any Cause or Suit shall be controverted or questioned by or between different Defendants in the same Cause or Suit; nor shall be any Prejudice to any subsequent Mortgagee or Mortgagees, or subsequent Incumbrancer; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

C A P. XXI.

An Act for the more effectual Punishment of Assaults with Intent to commit Robbery.

WHEREAS many of his Majesty's Subjects have of late frequently been put in great Fear and Danger of their Lives, by wicked and ill disposed Persons assaulting and attempting to rob them: And whereas the Punishment of such Offenders is not adequate to the Heinousness of the Crime, nor sufficient to deter wicked Persons from such Attempts: To the end therefore that all Persons may be deterred from committing such Offences, and for the greater Punishment of such Offenders, and for the more effectual preventing of the like Mischiefs for the future; 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 if any Person or Persons from and after the first Day of May in the Year of our Lord one thousand seven hundred and thirty-four, shall, with any offensive Weapon or Instrument, unlawfully and maliciously assault, or shall by Menaces, or in or by any forcible or violent Manner, demand any Money, Goods or Chattles, of or from any other Person or Persons with a felonious Intent to rob or commit Robbery upon such Person or Persons, that then, and in every such Case, all and every such Persons and Persons