The Alien Act, 1705

Transcript of the first page of the Alien Act, 1705 (NRS, Hamilton Papers, reference GD406/M1/247/1)

An ACT

for the Effectual Securing the Kingdom of England from the apparent

Dangers that may arise from several Acts lately passed in the Parliament of Scotland.

For preventing the many Inconveniences which may speedily happen to the two Kingdoms of England and Scotland, if a nearer and more compleat Union be not made between the said Kingdoms, Be it Enacted by the QUEEN’s most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament Assembled; and by the Authority of the same, That such Persons as shall be nominated by Her MAJESTY, under Her Great Seal of England, or such, and so many of them as shall, in that Behalf, be appointed by Her MAJESTY, to be of the Quorum, shall, by Force of this Act, have full Power, Commission, and Authority at such Time and Times, and in such Place and Places, as Her MAJESTY shall please to appoint to assemble and meet; and thereupon to treat and consult according to the Tenor and Purport of their Authority or Commission in that Behalf, with certain Commissioners, as shall be authorized by Authority of the Parliament of Scotland, of, and concerning such an Union of the said Kingdoms of England and Scotland, and of, and concerning such other Matters, Clauses, and Things, as upon mature Deliberation of the greatest part of the said Commissioners Assembled, as aforesaid, and the Commissioners to be authorised by the Parliament of Scotland, according to the Tenour or Purport of their Commissions in that Behalf, shall, in their Wisdoms, think

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convenient and necessary for the Honour of Her MAJESTY, and the common Good of both the said
Kingdoms for ever, which Commissioners of both the said Kingdoms, shall, according to the Te-
nour or Purport of their said Authorities or Commissions in that Behalf, reduce their Doings and
Proceedings therein in Writings or Instruments Quadrupartite, every Part to be subscribed and
sealed
by them, to the end that one Part thereof may, in all Humbleness be presented to the QUEEN’s most
Excellent MAJESTY, two other Parts thereof to be offered to the Consideration of the Parliament for
the Realm of England, and another Part to be offered to the Consideration of the Parliament for the
Realm of Scotland, at their next Sessions, which shall be held in each Kingdom respectively, after
such Writings or Instruments shall be subscribed and sealed by the said Commissioners, that
thereupon
such further Proceedings may be had, as by Her MAJESTY, and both the said Parliaments, shall
be thought fit and necessary for the Weal and common Good of both the said Kingdoms, to whom
the entire Consideration of the whole and the Allowing or Disallowing of any part there-
of, as they shall think fit, is wholly reserved. Provided always and be it further Enacted and declar-
ed, That no such Commission or Authority, as aforesaid, shall be granted until an Act of Parliament
shall be made in the Kingdom of Scotland, impowering Her MAJESTY to grant a Commission under
the Great Seal of that Kingdom, nominating Commissioners to treat concerning the Union of the two
Kingdoms. Provided also and be it further Enacted and declared, That no Matter or Thing to be
-treated of, agreed or proposed by the said Commissioners, by Virtue of this Act, shall have any Force
or Effect to be put in Exemption, until it be confirmed and established by Act of Parliament of Eng-
land. And be it further Enacted by the Authority aforesaid, that from and after the 25 Day of Decem-
ber 1705, no Person or Persons being a Native or Natives of the Kingdom of Scotland (except such
as are now settled Inhabitants within the Kingdom of England, or the Dominions
thereunto belonging, and shall continue Inhabitants thereof, and such as are now in
Service in her MAJESTY’s Fleet or Army) shall be capable to inherit any Lands, Te-
nements, or Hereditaments within this Kingdom of England, or the Dominions thereunto
belonging, or to enjoy any Benefit or Advantage of a natural-born Subject of England: But every such Person shall be, from thenceforth adjudged and taken as an Alien born out of [the Allegiance to the QUEEN of England, until such time as the Succession to the Crown of Scotland, be declared and settled by an Act of Parliament in Scotland.]

**Glossary**

*Quorum*  
The minimum number of officers or members of a group which must be present for the decisions of that group to be authorised.

*Quadrupartite*  
In four parts or done by four parties.

*Tenements*  
Any property held by a tenant.

*Hereditaments*  
Property inherited by heirs.