ANNO TRICESIMO QUARTO

Georgii III. Regis.

CAP. IX.

An Act for preventing Money or Effects, in the Hands of His Majesty's Subjects, belonging to or disposeable by Persons resident in *France*, being applied to the Use of the Persons exercising the Powers of Government in *France*; and for preserving the Property thereof for the Benefit of the Individual Owners thereof. [1st *March* 1794.]

WHEREAS the Persons exercising the Powers of Government in *France* have issued an Order, compelling all Merchants, Bankers, and other Persons, who are possessed of any Money, funded Property, or Effects, in the different Parts of *Europe*, to declare all such Money, funded Property, and Effects, in order that the same, by Violence, may be taken, and applied for the Purpose of maintaining and carrying on the unjust War in which the Persons so exercising the Powers of Government in *France* are engaged against the greater Part of *Europe*: And whereas the direct and violent Seizure, under the said Order, of the Property of Persons, secured to them by the Laws of the Country in which it is placed, is in itself destructive of all Commercial Credit, and is accompanied by a Declaration, that no Debts due to the Subjects of any of the Belligerent Powers shall be paid: In order therefore to prevent the Effect intended to be produced by these unjust and violent Measures, and to protect the Property of Individuals, as far as Circumstances will admit; may it please Your Majesty that it may be enacted and declared; and be it enacted and declared by the Preamble.

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 reſiding or being in *Great Britain* ſhall, after the Firſt Day of *March* One thouſand ſeven hundred and ninety-four, and during the ſaid War, knowingly and wilfully pay, ſend, ſupply, or deliver, or cauſe to be paid, ſent, ſupplied, or delivered, either in *Great Britain* or *France*, or in any other Country, either by Payment or Remittance of any Bill of Exchange, Note, Draught, Obligation, or Order for Money, or in any other Manner whatſoever, any Money to or for the Uſe of the Perſons exerciſing, or who ſhall exerciſe the Powers of Government in *France*, or to or for the Uſe of any Perſons or Perſon who on the Firſt Day of *January* One thouſand ſeven hundred and ninety-four, were or was, or at any Time ſince have or has been, or who, at the Time of ſuch Act done, ſhall be within any of the Dominions of *France*, or any Country, Territory, or Place, which was on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, or which ſhall be during the ſaid War, and at the Time of ſuch Act done, under the Government of the Perſons exerciſing, or who ſhall hereafter exerciſe the Powers of Government in *France*, every Perſon ſo offending, being thereof lawfully convicted or attainted, ſhall be deemed, declared, and adjudged to be a Traitor, and ſhall ſuffer Pains of Death, and alſo loſe and forfeit as in Caſes of High Treaſon.

After *March* 1, 1794, if any Reſident in *Great Britain* ſhall pay or remit any Money for the Uſe of the Perſons exerciſing the Government in *France*, or of any Perſons reſiding within the Limits of ſuch Government on or ſince *January* 1, 1794, he ſhall be deemed a Traitor.

II. And be it further declared and enacted, That if any Perſon reſiding or being in *Great Britain*, ſhall, after the ſaid Firſt Day of *March* One thouſand ſeven hundred and ninety-four, and during the ſaid War, knowingly and wilfully ſend, ſupply, or deliver, or cauſe or procure to be ſent, ſupplied, or delivered, either in *Great Britain* or any other Country or Place whatſoever, any Goods, Wares, Merchandize, or Effects whatſoever, to or for the Uſe of the Perſons exerciſing or who ſhall hereafter exerciſe the Powers of Government in *France*, or to or for the Uſe of any Perſons or Perſon who, on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, were or was, or at any Time ſince have or has been, or at the Time of ſuch Act done, ſhall be within any of the Dominions of *France*, or in any other Country, Territory, or Place, which was on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, or which ſhall be during the ſaid War, and at the Time of ſuch Act done, under the Government of the Perſons exerciſing or who ſhall hereafter exerciſe the Powers of Government in *France*, every Perſon ſo offending, being thereof lawfully convicted, ſhall incur and ſuffer the Pains and Penalties ordained and provided by the Statute of Proviſion and Præmunire made in the Sixteenth Year of the Reign of King *Richard* the Second.

If any ſuch Reſident ſhall ſend or deliver, for the Uſe of the Perſons before mentioned, any Goods or Effects whatever, he ſhall incur the Penalties of 16 *Ric.* II. Cap. 5.

III. And whereas, notwithſtanding the Prohibition herein-contained, a falſe Credit may be given to Bills of Exchange, Promiſory Notes, Draughts, Obligations, or Orders for Money, by accepting or indorſing the ſame, or undertaking to become anſwerable for the Payment thereof; be it further enacted, That if any Perſon reſiding or being in *Great Britain* ſhall, after the ſaid Firſt Day of *March* One thouſand ſeven hundred and ninety-four, and during the ſaid War, knowingly and wilfully in any Manner accept or indorſe, or undertake to be anſwerable for the Payment, in the Whole or in Part, of any Bill of Exchange, Promiſory Note,

If any ſuch Reſident ſhall accept, indorſe, or undertake for the Payment of any Bill, Note, &c. for the Uſe of the ſaid Perſons, he ſhall forfeit double the Value;

Note, Draught, Obligation, or Order for Payment of Money, drawn, indorſed, or negociated by or on Account, or for the Uſe of, or on the Credit of, or on the Credit of the Effects of, the Perſons exerciſing or who ſhall hereafter exerciſe the Powers of Government in *France*, or any Perſons or Perſon who on the Firſt Day of *January* One thouſand ſeven hundred and ninety-four, were or was, or at any Time ſince have or has been, or at the Time of ſuch Act done, ſhall be, reſiding or being in any of the Dominions in *France*, or in any Country, Territory, or Place, which was on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, or which ſhall be during the ſaid War, and at the Time of ſuch Act done, under the Government of the Perſons exerſing or who ſhall hereafter exerciſe the Powers of Government in *France*, every Perſon ſo offending ſhall forfeit and loſe double the Value of ſuch Bill of Exchange, Promiſory Note, Draught, Obligation, or Order, to be recovered and applied as herein-after directed.

IV. And be it further enacted, That if any Perſon reſiding or being in *Great Britain* ſhall, after the ſaid Firſt Day of *March* One thouſand ſeven hundred and ninety-four, knowingly and wilfully, in any Manner, pay or ſatisfy any Bill of Exchange, Note, Draught, Obligation, or Order for Money, in Part or in the Whole, which, ſince the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, has been, or at any Time during the ſaid War ſhall be drawn, or accepted, or indorſed, or in any Manner negociated in, or in any Manner ſent from any Part of the Dominions of *France*, or any Country, Territory, or Place which was on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, or at any Time during the ſaid War, and at the Time of ſuch Act done, ſhall be under the Government of the Perſons exerciſing or who ſhall hereafter exerciſe the Powers of Government in *France*, or drawn, accepted, or indorſed, or in any Manner negociated by or for the Uſe of, or upon the Credit of, or upon the Credit of the Effects of, the Perſons exerciſing the Powers of Government in *France*, or of any Perſons or Perſon who on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, were or was, or at any Time ſince have or has been, or who, at the Time of ſuch Act done, ſhall be, in any of the Dominions of *France*, or in any ſuch Country, Territory, or Place as aforeſaid, every Perſon ſo offending ſhall forfeit and loſe double the Value of ſuch Bill of Exchange, Note, Draught, Obligation, or Order reſpectively, to be recovered and applied as herein-after directed, and the Payment of ſuch Bill of Exchange, Note, Draught, Obligation, or Order reſpectively, ſhall not be effectual againſt any Perſons or Perſon whatſoever who might otherwiſe have demanded the ſame, or the Money thereby made payable; but the Demands of all Perſons whatſoever in reſpect of the Money expreſſed therein, and every Part thereof, ſhall remain and be in full Force, notwithſtanding ſuch Payment, and notwithſtanding ſuch Bill, Note, Draught, Obligation, or Order ſhall have been paid, delivered up, or cancelled, or any Diſcharge ſhall be given thereon.

as he ſhall likewiſe if he ſhall pay any Order for Money drawn, *etc.* ſince *Jan.* 1, 1794, in the Limits or on Account of any of the Perſons aforeſaid;

and the Payment of ſuch Order ſhall not bar the Claim of the Perſon who might otherwiſe have demanded it.

V. And be it further enacted, That if any Perſon reſiding or being in *Great Britain*, who had on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, or had or ſhall have at any Time after the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four,

If any ſuch Reſident, who had on *Jan.* 1, 1794, or ſince, or ſhall have Money, Notes, or any

Effects belonging to the Persons aforesaid, shall pay such Money, or part with such Notes or Effects, except for converting them into Money for retaining it, he shall forfeit double the Value;

four, and during the said War, any Money, Bills of Exchange, Promisory Notes, Draughts, Obligations, or Orders for Money, Securities for Money, Goods, Wares, Merchandizes, or Effects whatsoever, of or belonging to the Persons exercising or who shall hereafter exercise the Powers of Government in *France*, or to any Persons or Person who on the said First Day of *January* One thousand seven hundred and ninety-four, were or was, or at any Time since have or has been, or who, at the Time of such Act done, shall be in any of the Dominions of *France*, or in any Country, Territory, or Place which was on the said First Day of *January* One thousand seven hundred and ninety-four, or at any Time during the said War, and at the Time of such Act done, shall be, under the Government of the Persons exercising or who shall hereafter exercise the Powers of Government in *France*, shall, after the said First Day of *March* One thousand seven hundred and ninety-four, knowingly and wilfully pay or otherwise satisfy any such Money to any other Person, or deliver or otherwise part with such Bills of Exchange, Promisory Notes, Draughts, Obligations, or Orders for Money, or Securities for Money, Goods, Wares, Merchandizes, or Effects, unless such Bills of Exchange, Notes, Draughts, Obligations, or Orders for Money, shall be delivered or parted with for the Purpose only of receiving and retaining the Money due thereon respectively, and such Goods, Wares, Merchandizes, and Effects, shall be delivered or parted with for the Purpose only of selling the same, and converting the same into Money, to be received and retained by the Person or Persons so selling the same, every Person so offending shall forfeit and lose double the Value of such Money, Bills of Exchange, Notes, Draughts, Obligations, Orders, Securities, Goods, Wares, Merchandizes, and Effects respectively, to be recovered and applied as herein-after directed; and no Payment of any such Money, or Delivery or Disposition of any such Bills of Exchange, Notes, Draughts, Obligations, Orders, or Securities for Money, nor any Payment or Discharge of any Money for which any such Goods, Wares, Merchandizes, or Effects as aforesaid, shall be so sold as aforesaid, except for the Purposes aforesaid, shall be effectual against any Persons or Person whatsoever who might have demanded the same if such Acts had not been done; but the Demands of all Persons whatsoever in respect of such Property shall remain and be in full Force, notwithstanding any Discharge of any Nature whatsoever which may be given for the same; save only and except that no such Demand shall prejudice or affect any Person who shall have received or purchased such Money, Bills, Notes, Draughts, Obligations, Orders, Securities, Goods, Wares, Merchandizes, or Effects respectively *bona fide*, for full Consideration, and without Notice that the same was or were paid, sold, delivered, or disposed of respectively contrary to the true Intent and Meaning of this Act.

and the Payment of such Money, or parting with such Notes or Effects, except for the Purpose aforesaid, shall not bar the Claim of any Person who might have demanded the same; except where such Money &c. has been received, or Effects purchased *bona fide*, without Notice of their being paid or disposed of contrary to this Act.

This Act not to extend to any Thing done by Authority of His Majesty or in His Service.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Act which shall be done by any Person, or in any Place, by virtue of or in Obedience to a Licence and Authority from His Majesty, either under His Sign Manual, or by Order in Council, or Proclamation, or from any Persons or Person to be authorized by His Majesty, under His Sign Manual, or otherwise, as His Majesty shall think fit, to give such Licence and Authority, or to any Act which shall be done in His Majesty's Service, by any Person or Persons who shall be employed therein, or to any

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Act which ſhall be done in aiding or aſſiſting ſuch Perſons whilſt ſo employed, or to any Perſon employed, or to be employed, in His Majeſty's Service, who has been, or ſhall be, during and for the Purpoſe of ſuch Employment in any of the Dominions of *France*, or in any Country, Territory, or Place, which was on the ſaid Firſt Day of *January* One thouſand ſeven hundred and ninety-four, or ſhall be, at any Time during the ſaid War, under the Government of the Perſons exerciſing the Powers of Government in *France*.

If any Action ſhall be commenced for any Demand contrary to this Act, the Court may diſcharge the Defendant, and ſtay further Proceedings.

VII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit, either in Law or Equity, ſhall be commenced or proſecuted for the Recovery of any Debt or Demand, contrary to the Proviſions of this Act, it ſhall and may be lawful for the Court in which ſuch Action or Suit ſhall be commenced, in Term Time, or any One or more of the Judges of ſuch Court out of Term, in a ſummary Way, to diſcharge the Defendant or Defendants arreſted on Meſne Proceſs, and to ſtay all further Proceedings in ſuch Action or Suit, upon ſuch Terms as to ſuch Court or Judge reſpectively ſhall appear neceſſary to enforce the Proviſions of this Act.

No Perſon ſhall be ſubject to any Penalty, or anſwer for any Damage, for not paying Money or delivering Notes or Effects after *Feb.* 1, the Payment or Delivery whereof after *March* 1, is prohibited.

VIII. Provided alſo, and be it further enacted, That no Perſon ſhall be ſubject to any Penalty or Forfeiture, or to anſwer for any Damage for not paying or not delivering any Money, Bills of Exchange, Promiſory Notes, Securities for Money, Goods, Wares, Merchandize, or Effects, at any Time after the Firſt Day of *February* One thouſand ſeven hundred and ninety-four, the Payment or Delivery whereof, after the Firſt Day of *March* One thouſand ſeven hundred and ninety-four, is prohibited by this Act.

This Act ſhall not affect the Right to any Property, *etc.* further than herein expreſſed.

IX. Provided alſo, and be it further enacted, That nothing done in Obedience to this Act ſhall alter or affect the Right, Title, or Intereſt of any Perſon whomſoever, to, or in any Property whatſoever, Real or Perſonal, or any Contract or Agreement whatſoever, further or otherwiſe than as in this Act is expreſſed.

All Fines ſhall be to His Majeſty, and may be recovered in any Court of Record in *Weſtminſter*, or the Court of Exchequer in *Scotland*.

X. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, impoſed by this Act, ſhall be to the King's Majeſty, His Heirs and Succeſſors, and ſhall be ſued for and recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland* reſpectively, wherein no Eſſoin, Wager of Law, Stay of Proceedings, except by ſuch Rule or Rules of the Court wherein the Action or other Proceeding ſhall depend, as ſhall be thought in Juſtice neceſſary for Special Cauſe to be expreſſed in every ſuch Rule, or more than One Imparlance ſhall be allowed.

Perſons committed for Offences againſt this Act may be admitted to Bail.

XI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon ſhall be committed, for any Offence againſt this Act, to any Common Gaol or other Place, there to remain until delivered by due Courſe of Law, it ſhall and may be lawful for any of the Juſtices of His Majeſty's Courts at *Weſtminſter*, or for any of the Barons of the Exchequer, being of the Degree of the Coif, or for the Lord Juſtice Clerk or any of the Commiſſioners of Juſticiary in *Scotland*, if upon Application

plication made he shall think it reasonable, to admit such Person to Bail, he or she giving sufficient Security for his or her Appearance to answer the Matters wherewith he or she shall be charged.

Where Offences may be tried.

XII. And be it further enacted by the Authority aforesaid, That any Offence against this Act, committed out of this Realm, may be alledged, and be laid, enquired of, and tried in any County, Shire, or Stewartry of this Realm; and that any Offence against this Act, committed within that Part of *Great Britain* called *England*, may be alledged, and be laid, enquired of, and tried in the County where such Offence shall have been committed, or in the County of *Middlesex*; and that any Offence against this Act, committed within that Part of *Great Britain* called *Scotland*, may be alledged, and be laid, enquired of, and tried either before the Court of Justiciary at *Edinburgh*, or in any of the Circuit Courts in that Part of the United Kingdom; and that all and every Person or Persons that shall at any Time be accused, or indicted, or prosecuted for any Offence made or declared to be Treason by this Act, shall be entitled to the Benefit of the Act of Parliament made in the Seventh Year of *William* the Third, intituled, *An Act for regulating of Trials in Cases of Treason and Misprision of Treason*; and also of the Provisions made by another Act of Parliament, passed in the Seventh Year of Queen *Anne*, intituled, *An Act for improving the Union of the Two Kingdoms.*

Persons indicted to be entitled to the Benefit of 7 *Gul.* III. Cap. 3, and 7 *Anne*, Cap. 21.

Nothing in this Act shall alter 33 *Geo.* III. Cap. 27.

XIII. Provided also, and be it further enacted, That nothing in this Act contained, shall be construed or taken in any Manner to alter the Provisions contained in an Act passed in the last Session of Parliament, intituled, *An Act more effectually to prevent, during the present War, all Traitorous Correspondence with, or Aid or Assistance being given to His Majesty's Enemies*, or any of such Provisions.

Act may be repealed or altered this Session.

XIV. Provided also, and be it enacted, That it shall and may be lawful to repeal, vary, or alter this Act, or any Clause, Matter, or Thing therein contained, during this present Session of Parliament.

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FINIS.