ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. XV.

An Act for rendering effectual His Majeſty's Orders in Council of the Sixteenth and Twenty-firſt Days of *January* One thouſand ſeven hundred and ninety-five, reſpecting the Admiſſion of the Effects mentioned in the ſaid Orders into the Ports of this Country, to be warehouſed; and for indemnifying all Perſons who have acted in conſequence of ſuch Orders. [16th *March* 1795.]

Preamble, reciting Orders in Council of *Jan.* 16,

WHEREAS His Majeſty, by His Order in Council bearing Date the Sixteenth Day of *January* One thouſand ſeven hundred and ninety-five, was pleaſed to direct that all Goods, Wares, Merchandizes, and Effects whatſoever, coming directly from any of the Ports of the *United Provinces* to any of the Ports of this Kingdom in the Veſſels of any Country, and navigated in any Manner, be permitted, until further Order, to be landed and ſecured in Warehouſes under the joint Locks of His Majeſty and of the Proprietors, at the Riſk and Expence of the ſaid Proprietors, there to remain in ſafe Cuſtody for the Benefit of the Proprietors thereof, until due Proviſions ſhall be made by Law to enable ſuch Proprietors to re-export, or otherwiſe diſpoſe of the ſame: And whereas His Majeſty, by His further Order in Council bearing Date the Twenty-firſt Day of *January* One thouſand ſeven hundred and ninety-five, was pleaſed to direct that all Goods, Wares, Merchandizes, and Effects whatſoever, belonging to any of the Subjects or Inhabitants of the *United Provinces*, or belonging to any Subjects of His Majeſty,

and of *Jan.* 21, 1795.

or to any Subjects of any Country in Amity with His Majesty, coming from any Part of *Europe*, *Asia*, *Africa*, or *America*, in Amity with His Majesty, in Vessels belonging to any Subjects or Inhabitants of the *United Provinces*, or to any Subjects of His Majesty, or of any Country in Amity with His Majesty, and bound to any Port of the *United Provinces*, may, until further Order, be permitted to be landed in any Port of this Kingdom, and may be secured in Warehouses for the Benefit of the Proprietors thereof, in the same Manner as was directed by the above-mentioned Order of His Majesty in Council, bearing Date the Sixteenth Day of *January* One thousand seven hundred and ninety-five: And whereas Goods, Wares, Merchandizes, and Effects, which may be brought into the Ports of this Kingdom, or brought within Four Leagues of the Coasts thereof, in Confidence of the said Orders, or either of them, may be subject to Seizure under the Provisions of some Acts or Act of Parliament now in force, and the Ships, Vessels, or Boats, in or on Board which such Goods, Wares, Merchandizes, and Effects, may be so brought into the Ports of this Kingdom, or within Four Leagues of the Coasts thereof, may also, under like Provisions, be subject to Seizure as forfeited, and the Persons acting therein may be liable to Prosecutions and Actions in respect thereof; but as such Orders were so necessary for the publick Good, and for the Safety and Preservation of the Property and Effects of His Majesty's Subjects, and of His Allies, that all such Goods, Wares, Merchandize, and Effects, Ships, Vessels, and Boats, as aforesaid, ought to be exempted from all Forfeitures; and all Persons who have acted, or shall act, in bringing in the same, or who have acted, or shall act, in pursuance of, or according to such Orders, ought to be indemnified: 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 if any such Goods, Wares, Merchandize, or Effects, as aforesaid; or any Ships, Vessels, or Boats, Horses, Cattle, or Carriages, employed in importing, conveying, or removing the same, shall be seized as forfeited by virtue of any Law relating to the Customs or Excise, the Commissioners of His Majesty's Customs, on Evidence given to their Satisfaction that such Goods, Wares, Merchandize, or Effects, were brought, or intended to be brought, into this Kingdom, upon the Faith, or according to the Terms of such Orders respectively, without any Intention of Fraud in the Owner or Owners thereof, such Commissioners shall cause the same to be released from such Seizure, and to be secured for the Benefit of the Owner or Owners thereof, according to the true Intent and Meaning of the said Orders respectively, and upon such Terms as the said Commissioners shall think fit for the due Execution of the said Orders respectively, and shall direct; and if such Owner or Owners shall comply with such Terms, the Officer or Officers who shall have seized the same shall not proceed for the Condemnation thereof; but if such Owner or Owners shall not comply with such Terms, such Officer or Officers shall be at Liberty to proceed to the Condemnation of such Goods, Wares, Merchandize, or Effects; nevertheless such Owner or Owners shall not be entitled to any Damages on Account of such Seizure.

If Goods, Vessels, &c. be seized, the Commissioners of the Customs may release them, on Proof of their being brought into the Kingdom agreeable to recited Orders in Council, &c.

II. And be it further enacted by the Authority aforesaid, That all Personal Actions and Suits, and all Indictments, Informations, Prosecutions,

Suits for Acts done under the recited Orders discharged.

tions, and Proceedings whatſoever, which have been or ſhall be proſecuted or commenced againſt any Perſon or Perſons, Ships, Veſſels, Goods, Wares, Merchandizes, or Effects, for or by reaſon of any Act, Matter, or Thing done, or forborne to be done, in execution of or in conſequence of the ſaid Orders, or either of them, be, are, and ſhall be diſcharged and made void by virtue of this Act; and that if any Action or Suit ſhall be proſecuted and commenced againſt any Perſon or Perſons for or by reaſon of any ſuch Act, Matter, or Thing, ſo done, or forborne to be done, he, ſhe, or they, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence; and if the Plaintiff or Plaintiffs in any Action or Suit ſo to be proſecuted or commenced after the Sixteenth Day of *January* laſt, in that Part of *Great Britain* called *England*, ſhall become nonſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt ſuch Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover his, her, or their Double Coſts, for which he, ſhe, or they, ſhall have the like Remedy as in Caſes where the Coſts by Law are given to Defendants; and if any ſuch Action or Suit as aforeſaid ſhall be commenced or proſecuted after the ſaid Sixteenth Day of *January*, in that Part of *Great Britain* called *Scotland*, the Court before which ſuch Action or Suit ſhall be commenced or proſecuted, ſhall allow to the Defender the Benefit of the Diſcharge and Indemnity hereby provided, and ſhall further allow him his Double Coſts of Suit in all ſuch Caſes as aforeſaid.

If Plaintiffs in Actions proſecuted or commenced after *Jan.* 16, 1795, become nonſuit, *&c.* the Defendants to recover Double Coſts.

III. And be it alſo enacted by the Authority aforeſaid, That if any Action or Suit, Proſecution or other Proceeding, hath been already commenced againſt any Perſon or Perſons, or againſt any Goods, Wares, Merchandizes, or Effects, Ships, Veſſels, Boats, Horſes, Cattle, or Carriages, which the ſaid Commiſſioners ſhall order to be releaſed, as aforeſaid, for or by reaſon of any Act, Matter, or Thing, done, or forborne to be done, in execution of or in conſequence of the ſaid Orders, or either of them, it ſhall and may be lawful for the Defendants or Defenders, in any ſuch Actions or Suits, Proſecutions or Proceedings reſpectively, in whatever Courts in *Great Britain* ſuch Actions or Suits, Proſecutions or Proceedings, ſhall have been commenced, to apply to ſuch Courts reſpectively to ſtay all Proceedings therein reſpectively, by Motion in a ſummary Way; and ſuch Courts or Court are hereby required to make Order for that Purpoſe accordingly; and the Court or Courts making ſuch Order ſhall, if they ſhall think fit, award and allow to the Defendants or Defenders reſpectively, ſuch Coſts of Suit as ſuch Court or Courts ſhall think proper, for which ſuch Defendants or Defenders ſhall reſpectively have the like Remedy as in Caſes where the Coſts are by Law given to Defendants or Defenders.

Defendants in Actions already commenced, may apply to the Court to ſtop Proceedings, *&c.*

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſons or Perſon to import or bring into any of the Ports of this Kingdom, any Goods, Wares, Merchandizes, and Effects whatſoever, belonging to any of the Subjects of the *United Provinces*, or to any Perſons who, before the Nineteenth Day of *January* laſt, were Inhabitants of the ſaid *United Provinces*, or belonging to any Subject of His Majeſty, or to any Subject of any Country in Amity with His Majeſty, coming from any Part of the *United Provinces*; and alſo any like Goods, Wares, Merchandizes, and Effects, from any

Goods belonging to Subjects of the *United Provinces*, coming from thence, *&c.* may be landed and warehouſed, *&c.*

Part of *Europe*, *Aſia*, *Africa*, or *America*, in Amity with His Majeſty, in Veſſels belonging to any Subject of the *United Provinces*, or to any Perſons who, before the Nineteenth Day of *January* laſt, were Inhabitants of the ſaid *United Provinces*, or to any Subject of His Majeſty, or of any Country in Amity with His Majeſty, and bound to any Port of the *United Provinces*; and the ſame ſhall and may be landed in the Preſence of the proper Officers of the Cuſtoms, and ſecured in Warehouſes under the joint Locks of His Majeſty and of the Proprietors thereof, at the Riſk and Expence of the ſaid Proprietors; ſuch Warehouſes to be approved of by the Commiſſioners of His Majeſty's Cuſtoms, or any Four or more of them, in that Part of *Great Britain* called *England*, and the Commiſſioners of His Majeſty's Cuſtoms in that Part of *Great Britain* called *Scotland*, or any Three or more of them reſpectively, or by the principal Officers of the Port where ſuch Goods ſhall be imported; and the ſaid Commiſſioners reſpectively ſhall and are hereby authorized and required to make ſuch Regulations, and to give ſuch Directions as they may deem neceſſary for ſecuring the ſaid Goods, Wares, Merchandizes, and Effects, for the Benefit of the Proprietors thereof, and for the Security of the Revenue, until further Proviſions ſhall be made by Parliament reſpecting the ſame.

His Majeſty in Council may ſuſpend the Operation of this Act.

V. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His Majeſty, by and with the Advice of His Privy Council, to ſuſpend the Operation of this Act, or any Part thereof, and to renew the ſame in the Whole or in Part, for ſuch Time, and in ſuch Manner, as ſhall be thought expedient and proper.

Act may be altered or repealed this Seſſion.

VI. Provided always, and be it enacted, That it ſhall be lawful to alter or repeal this preſent Act, and every or any Thing therein contained, in this preſent Seſſion of Parliament.

FINIS.