ANNO TRICESIMO SEXTO

Georgii III. Regis.

****

CAP. LIII.

An Act for indemnifying all Perſons who have been concerned in adviſing or carrying into Execution an Order of His Majeſty in Council reſpecting the Exportation of Rock Salt; for preventing Suits in conſequence of the ſame; for authorizing His Majeſty to prohibit the Exportation or carrying coaſtwiſe of Rock Salt; and for making further Proviſions relative thereto. [26th *April* 1796.]

Preamble. Order in Council of *Auguſt* 12,

WHEREAS His Majeſty, by an Order in Council bearing Date the Twelfth Day of *Auguſt* One thouſand ſeven hundred and ninety-five, was pleaſed to order that no Perſon or Perſons whatſoever ſhould, from and after the Publication of the ſaid Order until the Twenty-fifth Day of *December* One thouſand ſeven hundred and ninety-five, directly or indirectly, export, tranſport, carry, or convey, or cauſe or procure to be exported, tranſported, carried, or conveyed out of or from any Port or Place in *Great Britain*, or load or lay on board, or cauſe or procure to be laden or laid on board of any Ship, Veſſel, or Boat, in order to be exported, tranſported, carried, or conveyed, out of any Port or Place in *Great Britain*, any Sort of Rock Salt whatſoever; which Order was, by Three Orders of His Majeſty in Council, bearing Date reſpectively the Thirtieth Day of *December* One thouſand ſeven hundred and ninety-five, the Twelfth Day of *February* and the Sixteenth Day of *March* One thouſand ſeven hundred and ninety-ſix, further continued for the Space of Four Weeks, to commence from the Eighteenth Day of *March* One thouſand ſeven hundred and ninety-ſix: And whereas the ſaid Orders cannot be juſtified by Law, but were expedient for the Service of the Publick, and for preventing the Supply of a neceſſary Article to His Majeſty's Enemies, and ought therefore to be juſtified by an Act of Parliament; and all Perſons iſſuing, adviſing, or acting under or in Obedience to the ſaid Orders reſpectively 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 all perſonal Actions or Suits, Indictments, Informations, and all Proſecutions and Proceedings whatſoever, which have been or ſhall be proſecuted or commenced againſt any Perſon or Perſons for or by Reaſon of any Act, Matter, or Thing adviſed, commanded, appointed, or done, or forborne to be done, in relation to the ſaid Orders, or of any Contract or Agreement not performed by Reaſon or Means of or in Obedience to ſuch Orders, be, are, and ſhall be diſcharged and made void by virtue of this Act; and that if any Action or Suit ſhall be proſecuted or commenced againſt any Perſon or Perſons for or by Reaſon of any ſuch Act, Matter, or Thing, ſo adviſed, commanded, appointed, or done, or forborne to be done, or ſuch Contract or Agreement not performed, 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 Eleventh Day of *February* One thouſand ſeven hundred and ninety-ſix, in

and *Dec.* 30, 1795, and *Feb* 12, and *March* 16, 1796, reſpecting Rock Salt, recited.

Suits for any Matter adviſed or done in relation to the ſaid Orders made void, and Perſons proſecuted may plead the General Iſſue.

In Actions commenced or proſecuted after *Feb.* 11, 1796, Defendants to have Double Coſts.

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 Coſts by Law are given to the Defendant; and if any ſuch Action or Suit ſhall be commenced or proſecuted, after the ſaid Eleventh Day of *February* One thouſand ſeven hundred and ninety-ſix, in that Part of *Great Britain* called *Scotland*, the Court before whom 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 to him his Double Coſts of Suit, in all ſuch Caſes as aforeſaid.

Defendants in Actions already commenced may apply to the Courts to have them ſtayed, *&c.*

II. And be it further enacted by the Authority aforeſaid, That if any Action or Suit hath been already commenced againſt any Perſon or Perſons for any ſuch Act, Matter, or Thing, ſo adviſed, commanded, appointed, or done, or forborne to be done, or on Account of any ſuch Contract or Agreement not performed, it ſhall and may be lawful for the Defendants or Defenders in ſuch Actions or Suits reſpectively, in whatever Courts in *Great Britain* ſuch Actions or Suits ſhall have been commenced, to apply to ſuch Court or Courts reſpectively, to ſtay all Proceedings therein reſpectively, by Motion in a ſummary Way; and ſuch Court or Courts are hereby required to make Order for that Purpoſe accordingly; and the Court or Courts making ſuch Order, ſhall award and allow to the Defendants or Defenders reſpectively, Double Coſts of Suit, for which they ſhall reſpectively have the like Remedy as in Caſes where the Coſts are by Law given to Defendants or Defenders.

His Majeſty may prohibit the exporting or carrying coaſtwiſe Rock Salt;

III. And be it further enacted, That His Majeſty may, by Proclamation or Order in Council, when he ſhall ſee Cauſe, and for ſuch Time as ſhall be therein expreſſed, prohibit the exporting or carrying coaſtwiſe, or the attempting to export or carry coaſtwiſe, any Sort of Rock Salt whatſoever.

and if exported, or ſhipt for that Purpoſe, forfeited.

IV. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, all Rock Salt whatſoever which ſhall be exported, tranſported, carried, or conveyed, or laden or laid on board of any Ship, Veſſel, or Boat, in order to be exported, tranſported, carried or conveyed out of any Port or Place in *Great Britain*, or coaſtwiſe, contrary to any ſuch Proclamation of His Majeſty, or Order of His Majeſty in Council, ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms; and all and every Perſon or Perſons offending therein ſhall forfeit Treble the Value of any ſuch Rock Salt as ſhall be ſo exported, tranſported, carried or conveyed out of this Kingdom, or coaſtwiſe, or laden or laid on board of any Ship, Veſſel, or Boat, for either of thoſe Purpoſes; and ſuch Ship, Veſſel, or Boat, together with her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited, and the ſame ſhall and may be ſeized by any Officer or Officers of the Cuſtoms: Provided always, that His Majeſty may, by Special Licence under His Sign Manual, or by any ſuch Order in Council or Proclamation, make ſuch Exception with reſpect to the Exportation or carrying coaſtwiſe of any Sort of Rock Salt whatſoever, and ſuch Regulations concerning the Manner of exporting or carrying the ſame coaſtwiſe, as to Him, with the Advice of His Privy Council, ſhall appear to be proper, ſpecifying the Quantities of the ſaid Rock Salt, and alſo the Place or Places to and from which the ſame ſhall or may be ſo exported or carried coaſtwiſe.

Offenders to forfeit Treble the Value, and the Veſſels may be ſeized.

His Majeſty in Council may permit Rock Salt to be exported or carried coaſtwiſe.

Act may be altered or repealed this Seſſion.

V. And be it further enacted, That any Part of this Act may be altered, varied, or repealed, by any Act or Acts to be made in this preſent Seſſion of Parliament.

FINIS.