

ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

****

CAP. XLV.

An Act to prevent, during the War, Persons residing or being in *Great Britain* from advancing Money or Effects for the Purchase or on the Credit of Debts owing to any of the Governments in *Switzerland*, or any Bodies Politick or Corporate, or any Persons therein, without Licence for that Purpose; for extending the Provisions of an Act, made in the Thirty-third Year of the Reign of His present Majesty, more effectually to prevent, during the present War between *Great Britain* and *France*, all Traitorous Correspondence with, or Aid or Assistance being given to, His Majesty's Enemies, to *Switzerland*; and also the Provisions of an Act, made in the Thirty-fourth Year of the Reign of His present Majesty, for preventing Money or Effects in the Hands of His Majesty's Subjects, belonging to, or disposeable by, any 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, to the *United Provinces*, and to *Switzerland*, and to the Perſons exerciſing the Powers of Government therein, and alſo to the Perſons, Territories, and Places, under their Government. [10th *May* 1798.]

Preamble.

WHEREAS it is expedient to prevent Perſons reſiding or being in *Great Britain* from advancing Money or Effects for the Purchaſe or on the Credit of Debts owing to any of the Governments in *Switzerland*, or any Bodies Politick or Corporate, or any Perſons therein, during the preſent War, without Licence firſt obtained for that Purpoſe: 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 reſiding or being in *Great Britain* during the ſaid War, knowingly and wilfully, in *Great Britain* or elſewhere, ſhall make, or agree to make, or cauſe or procure to be made, any Advance of Money whatſoever, or of Goods, Merchandize, or Effects, or other valuable Thing whatſoever, to any of ſuch Governments, or Body *Politick* or Corporate, or any Perſons or Perſon whomſoever therein, or ſhall accept, pay, indorſe, or negotiate, or agree to accept, pay, indorſe, or negotiate, or cauſe or procure to be accepted, paid, indorſed, or negotiated, or ſhall guarantee or agree to be Security for the Payment of any Bill of Exchange, or other Bill, Note, or Security for Money, for or in Conſideration of any Purchaſe or Transfer of any Debt or Debts, or of any Share or Intereſt in any Debt or Debts, due or owing to any of the ſaid Governments, or of any Territories or Places now dependent thereon, or under the Government of any of them, or due or owing to any Perſons or Perſon reſiding or being within any of the ſaid Governments, Territories, or Places, or for or in Conſideration of or upon the Security or Credit of any ſuch Debt or Debts, or ſhall knowingly and wilfully, in any Manner whatſoever, purchaſe, or agree to purchaſe, or become entitled to or intereſted in, for valuable Conſideration, or by way of Security or Indemnity, any ſuch Debt or Debts, or any Parts or Part of any ſuch Debt or Debts, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of One thouſand Pounds, and alſo Treble the Amount or Value of the Money, Goods, Merchandize, Effects, or valuable Thing, ſo advanced, or agreed to be advanced, as aforeſaid, or of ſuch Bill of Exchange, or other Bill, Note, or Security for Money, with reſpect to which any ſuch Dealing ſhall be had as aforeſaid.

If any Reſident in *Great Britain* ſhall make, or procure to be made, any Advance for the Purchaſe of any Debt due to any Government in *Switzerland*, &c. he ſhall forfeit 1000*l.* and Treble the Value of the Advance.

All Contracts touching ſuch Debts, &c. to be void.

II. And be it further enacted, That all Contracts and Agreements whatſoever touching or concerning any ſuch Debt or Debts as aforeſaid, or any Parts or Part of any ſuch Debt or Debts, or touching any Money or other valuable Conſideration advanced, or to be advanced, for or in reſpect of any ſuch Debt or Debts, or for or in reſpect of any Goods, Merchandize, Effects, or other valuable Thing ſold, or agreed to be ſold, or for or in reſpect of any Bills of Exchange, or other Bills, Notes, or Securities, drawn, accepted, indorſed, negotiated, given, or executed, in Conſideration thereof, or by way of Security, Indemnity, or otherwiſe,

otherwiſe, for or concerning the ſame, ſhall be null and void to all Intents and Purpoſes whatſoever.

Any Perſon negociating ſuch Dealing, to forfeit 500*l.*

III. And be it further enacted, That if any Broker, or other Perſon reſiding or being in *Great Britain*, ſhall knowingly and wilfully, in *Great Britain* or elſewhere, negotiate or tranſact, for Commiſſion or otherwiſe, any Dealing prohibited by this Act, every Perſon ſo offending ſhall forfeit the Sum of Five hundred Pounds to any Perſon who will ſue for the ſame.

Recovery of Penalties.

IV. And be it further enacted, That all and every the Penalties and Forfeitures aforeſaid ſhall and may be recovered, in that Part of *Great Britain* called *England*, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, or by Information or Bill in Equity; and in that Part of *Great Britain* called *Scotland*, by Action or ſummary Bill or Information in the Courts of Seſſion or Exchequer in *Scotland*; and to any ſuch Information or Bill in Equity the Party or Parties againſt whom the ſame ſhall be exhibited, ſhall be obliged and compelled to anſwer upon Oath for Diſcovery of the Dealings and Tranſactions by Means whereof ſuch Penalties and Forfeitures ſhall have been incurred; and it ſhall be lawful for the Court wherein ſuch Information or Bill ſhall be exhibited to proceed and decree thereupon, and enforce ſuch Decree in the ſame Manner as is uſed in other Cauſes in the ſaid Courts.

Act not to extend to any Thing done by Licence from His Majeſty.

V. 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 any Licence or Authority from His Majeſty, either under His Sign Manual, or by Order in Council or Proclamation, or by virtue of or in Obedience to any Licence or Authority 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 or Authority, or to any Act done in His Majeſty's Service by any Perſon or Perſons who ſhall be employed therein.

33 *Geo.* III, Cap. 27, to extend to *Switzerland*, and all Places under the Perſons exerciſing the Powers of Government therein.

VI. And whereas it is expedient to extend to *Switzerland*, and the Perſons exerciſing the Powers of Government therein, and to the Perſons, Territories, and Places, under their Government, the Proviſions contained in an Act paſſed in the Thirty-third Year of His Majeſty's Reign, intituled, *An Act more effectually to prevent, during the preſent War between* Great Britain *and* France, *all Traitorous Correſpondence with, or Aid or Aſſiſtance being given to His Majeſty's Enemies*; be it further enacted by the Authority aforeſaid, That, from and after the ſeveral Times herein-after mentioned, and during the ſaid War, all and every the Proviſions in the ſaid Act contained, ſhall extend, and ſhall be conſtrued, deemed, and taken, to extend, to *Switzerland*, and all and every the Territories and Places under the Government of the Perſons exerciſing, or who ſhall during the ſaid War exerciſe, the Powers of Government in *Switzerland*, and all Perſons reſiding or being, or who ſhall during the ſaid War reſide or be within the ſame, or within any of the Territories or Places aforeſaid, and to the Perſons exerciſing, or who ſhall during the ſaid War exerciſe, the Powers of Government therein, or in any

any Part thereof, or any of the Territories or Places aforeſaid, in ſuch and the ſame Manner, to all Intents and Purpoſes, as if *Switzerland*, and the Territories, Places, and Perſons aforeſaid, and every of them, had been expreſsly mentioned in the ſaid Act, and all and every the Proviſions in the ſaid Act contained had been expreſsly applied thereto reſpectively, and *Switzerland*, and the Territories, Places, and Perſons aforeſaid, had in all Parts of the ſaid Act been mentioned together with *France*, and the Territories, Perſons, and Places deſcribed in the ſaid Act; and that all and every the Acts thereby prohibited to be done by Perſons reſiding or being in *Great Britain*, with reſpect to *France*, or the Perſons exerciſing, or who during the ſaid War might exerciſe, the Powers of Government in *France*, or Perſons reſiding or being within any of the Dominions of *France*, or any Town, Territory, Port, or Place annexed to *France*, or under the Government of the Perſons exerciſing, or who might exerciſe, the Powers of Government in *France*, ſhall be deemed and taken to be, in like Manner, and under the like Penalties, Proviſions, and Reſtrictions, prohibited with reſpect to *Switzerland*, and all and every the Territories and Places under the Government of the Perſons exerciſing, or who ſhall during the ſaid War exerciſe, the Powers of Government in the ſaid Provinces, and all Perſons reſiding or being, or who ſhall during the ſaid War reſide or be, within the ſame, or within any of the Territories or Places aforeſaid, and to the Perſons exerciſing, or who ſhall during the ſaid War exerciſe, the Powers of Government therein, or any of them, or any of the Territories or Places aforeſaid.

No Letter of Attorney from any Perſon who was, on or before *March* 1, 1798, or who has been ſince, in *France*, the *United Provinces*, or *Switzerland*, &c. ſhall authorize the Transfer of Stock without Licence from the Secretary of State.

VII. And whereas there is Reaſon to believe that Letters of Attorney have been procured from Perſons within the Power of the Perſons exerciſing the Powers of Government in *France*, or of the Governments under their Controul, and eſpecially in the *United Provinces*, and in *Switzerland*, for the Purpoſe of transferring Stock in the Publick Funds, and other Publick Stock, for the Benefit of the Perſons ſo exerciſing the Powers of Government in *France*, to the Prejudice and againſt the Will of the Proprietors of ſuch Stock; and that many of ſuch Letters of Attorney have been antedated; be it enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, no Letter of Attorney, purporting to be a Letter of Attorney from any Perſon or Perſons who, on or before the Firſt Day of *March* One thouſand ſeven hundred and ninety-eight, was or were, or at any Time ſince has or have been, in *France*, the *United Provinces*, or *Switzerland*, or any of the Territories or Dependencies thereof, or any Territory or Place under the Government, or ſubject to the Power of the Perſons exerciſing the Powers of Government in *France*, or under the Government, or ſubject to the Power of any Perſons exerciſing the Powers of Government in the ſaid *United Provinces* or *Switzerland*, or any Part thereof, ſhall be valid and effectual to authorize the Transfer of any ſuch Stock, without Licence for that Purpoſe firſt had and obtained from One of His Majeſty's Principal Secretaries of State; and that all Transfers of Stock which ſhall be made by or under the Authority of any ſuch Letter of Attorney, contrary to the Proviſions of this Act, ſhall be null and void, to all Intents and Purpoſes

34 *Geo.* III, Cap. 9, to extend to the

VIII. And whereas it is alſo expedient to extend, as well to the *United Provinces* as to *Switzerland*, and the Perſons exerciſing the Powers of Government

Government therein respectively, and to the Persons, Territories, and Places, under their Government respectively, the Provisions contained in an Act, passed in the Thirty-fourth Year of His Majesty's Reign, intituled, *An Act for preventing Money or Effects in the Hands of His Majesty's Subjects, belonging to, or disposeable by, any 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*; be it further enacted by the Authority aforesaid; That, from and after the several Times herein-after mentioned, and during the said War, all and every the Provisions in the said last mentioned Act contained, shall extend, and shall be construed, deemed, and taken to extend, to the said *United Provinces* and *Switzerland* respectively, and to every Part thereof respectively, and to all and every the Territories and Places under the Government of the Persons exercising, or who shall during the said War exercise, the Powers of Government in the said *United Provinces* and *Switzerland* respectively, or any Parts or Part thereof respectively, and to all Persons residing or being, or who shall during the said War reside or be, within the same respectively, or within any of the Territories or Places aforesaid, and to the Persons exercising, or who shall during the said War exercise, the Powers of Government within the said *United Provinces* or *Switzerland* respectively, or any of them, or any of the Territories or Places aforesaid, in such and the same Manner, to all Intents and Purposes, as if the said *United Provinces* and *Switzerland* respectively, and every Part thereof, and the Territories, Places, and Persons aforesaid, and every of them, had been expressly mentioned in the said Act, and all and every the Provisions in the said Act contained had been expressly applied thereto respectively; and the said *United Provinces* and *Switzerland* respectively, and every Part thereof, and the Territories, Places, and Persons aforesaid, had in all Parts of the said Act been mentioned together with *France*, and the Territories, Persons, and Places described in the said Act; and that all and every the Acts thereby prohibited to be done by Persons residing or being in *Great Britain* with respect to *France*, or the Persons exercising, or who during the said War might exercise, the Powers of Government in *France*, or Persons residing or being within any of the Dominions of *France*, or any Town, Territory, Port, or Place annexed to *France*, or under the Government of the Persons exercising, or who might exercise, the Powers of Government in *France*, shall be deemed and taken to be, in like Manner, and under the like Penalties, Provisions, and Restrictions, prohibited with respect to the said *United Provinces* and *Switzerland* respectively, and every Part thereof, and all and every the Territories and Places under the Government of the Persons exercising, or who shall during the said War exercise, the Powers of Government in the said *United Provinces* and *Switzerland* respectively, or any Part or Parts thereof respectively, and to all Persons residing or being, or who shall during the said War reside or be, within the same respectively, or within any of the Territories or Places aforesaid, and to the Persons exercising, or who shall during the said War exercise, the Powers of Government in the said *United Provinces* or *Switzerland* respectively, or any Parts or Part thereof respectively, or any of the Territories or Places aforesaid.

United Provinces and *Switzerland*, and all Places under the Persons exercising the Powers of Government therein.

IX. And be it further enacted, That it shall be lawful to repeal, amend, alter, or vary this Act, or any Part thereof, during the present Session of Parliament.

Act may be repealed or altered this Session.

Commencement of Act.

X. And be it further enacted, That this Act ſhall take place and have Commencement as to the preſent Matters herein-before contained, from the End of One Week after the paſſing of this Act, as to all Acts which ſhall be done by any Perſon whatſoever in *Great Britain*, or which ſhall be done in any Parts out of *Great Britain*, by any Perſon who ſhall have been in *Great Britain* at any Time after the paſſing of this Act, and during the Continuance of this Act, and ſhall take place and have Commencement One Calendar Month after the paſſing of this Act, as to all Acts which ſhall be done in any Part of *Europe*, other than *Great Britain*, by any Perſon who ſhall not have been in *Great Britain* between the paſſing of this Act and One Calendar Month after the paſſing of this Act; and ſhall take place and have Commencement Three Calendar Months after the paſſing of this Act, as to all Acts which ſhall be done in any Parts of the World out of *Europe* and not beyond the *Cape of Good Hope*, by any Perſon who ſhall not have been in *Great Britain* between the paſſing of this Act and the End of Three Calendar Months after the paſſing of this Act; and ſhall take place and have Commencement Six Calendar Months after the paſſing of this Act, as to all Acts which ſhall be done in any Part of the World beyond the *Cape of Good Hope*, by any Perſon who ſhall not have been in *Great Britain* between the paſſing of this Act and the End of Six Calendar Months after the paſſing of this Act.

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