

ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

CAP. XLVI.

An Act to render valid all Acts done in Execution of Three several Orders of His Majesty in Council relating to Bills of Exchange drawn by Persons in *Russia*, and to Freight of *Russia*, *Swedish*, and *Danish* Ships. [20th *June* 1801.]

Preamble. Order in Council of *Jan.* 16, *Jan.* 28.

WHEREAS His Majesty, by Order in Council, bearing Date the Sixteenth Day of *January* One thousand eight hundred and one, was pleased to order that no Bills drawn since the Tenth Day of *December* One thousand eight hundred and one, by or on Behalf of any Persons being Subjects of, or residing within the Dominions of the Emperor of *Russia*, should be accepted or paid, without Licence from One of His Majesty's Principal Secretaries of State, first had in that Behalf, until further Signification of His Majesty's Pleasure, or until Provision should be made in respect thereof by Act of Parliament: And whereas His Majesty was pleased by another Order in Council, bearing Date the Twenty-eighth Day of *January* One thousand eight hundred and one, to order that no Person residing within His Majesty's Dominions should presume to pay any Money or Bills due or payable to or on Behalf of any Person or Persons being Subjects or residing within the Dominions of the Emperor of *Russia*, or of the Kings of *Denmark* or *Sweden*, or any of them, for the Freight of Merchandize imported in any *Russian*, *Swedish*, or *Danish* Ship, which should be detained under Embargo, or which should thereafter be brought into

any of the Ports of His Majeſty's Dominions, until His Majeſty's Pleaſure ſhould be further known, or until other Proviſion ſhall be made by Law: And whereas His Majeſty was, by another Order in Council, bearing Date the Seventeenth Day of *March* One thouſand eight hundred and one, pleaſed to order that the Marſhal of the High Court of Admiralty, or his Deputy, ſhould and might receive all Monies due for the Freight of Goods brought by any *Ruſſian*, *Swediſh*, or *Daniſh* Ship detained as aforeſaid, and alſo further to order that no Goods ſhould thenceforth be delivered out of any *Ruſſian*, *Swediſh*, or *Daniſh* Ship detained as aforeſaid, until the Freight ſhould be paid to the ſaid Marſhal, or his Deputy; and that all Monies received for Freight as aforeſaid, by the ſaid Marſhal, or his Deputy, ſhould forthwith be paid by him into the Bank of *England*, in his own Name, and in that of the Deputy Marſhal, there to remain until His Majeſty's Pleaſure ſhould be further known, or until other Proviſion be made by Law in reſpect thereto: And whereas Actions have been and may be brought againſt Perſons acting in Obedience to the ſaid Orders, in withholding the Payment of Bills and Monies, and other Demands, and in reſpect of Monies paid to the ſaid Marſhal and Deputy Marſhal: And whereas it is expedient for the publick Service that Acts done and to be done in Obedience to ſuch Orders, ſhould be ſanctioned by the Authority of Parliament, and the Perſons obeying the ſame ſhould be protected and 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, or 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 done or forborne to be done in relation to any of ſuch Bills as are therein deſcribed, or any Freight not being paid, 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 any ſuch Bill or Freight not paid, 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 Firſt Day of *March* One thouſand eight hundred and one, in that Part of *Great Britain* called *England*, and in *Ireland*, 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 Firſt Day of *March* One thouſand eight hundred and one, 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 Diſcharge and Indemnity hereby provided, and ſhall further allow to him his double Coſts of Suit in all ſuch Caſes as aforeſaid.

and *March* 17, 1801, relating to Bills of Exchange drawn in *Ruſſia*, and to Freight of *Ruſſian*, *Swediſh*, and *Daniſh* Ships.

Actions againſt any Perſons for Obedience to ſuch Orders made void, and Defendants may plead the General Iſſue.

Double Coſts.

II. And

II. And be it further enacted, That if any Action or Suit hath been already commenced againſt any Perſon or Perſons for any ſuch Act, Matter, or Thing ſo done or forborne to be done on Account of any ſuch Bill or Freight not paid, or 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* or *Ireland* 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 Defendant or Defendants 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 the Defendants or Defenders.

Defendants may apply to the Court to ſtay Proceedings, who ſhall make Order accordingly, and award Double Coſts.

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